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HISTORICAL PAPERS

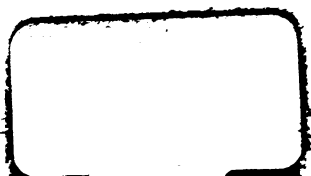
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SERIES XI

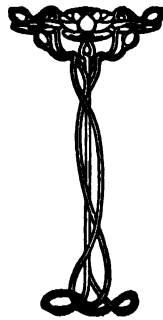
DURHAM, NORTH CAROLINA

1915



HISTORICAL PAPERS

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SERIES XI

DURHAM, NORTH CAROLINA
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PREFATORY NOTE

The Committee on Publication wishes to express its appreciation of the courtesy of the Yale University Library for the loan of the *American Museum* for August, 1787, from which the "Essays of Sylvius," here reprinted, were transcribed. The other essays are by members of the Society, Mr. Carr being a graduate of Trinity College in the class of 1915 and Mr. Ruark in the class of 1914.

Beginning with the present academic year a prize of twenty-five dollars is offered by a friend who wishes his name withheld, to that member of the Historical Society, who is also an undergraduate student in Trinity College, for the best essay in the field of Southern History.

WM. K. BOYD,

For the Committee on Publication.

October 1, 1915.

HISTORICAL PAPERS

SERIES XI

Letters of Sylvius

ESSAY ON THE CONSEQUENCES OF EMITTING PAPER-MONEY:
ON THE NECESSITY AND ADVANTAGES OF ENCOURAGING
AMERICAN MANUFACTURERS: OF THE BENEFICIAL EFFECTS
OF AN ALTERATION IN THE PRESENT MODE OF TAXATION,
ETC.—IN A SERIES OF LETTERS WRITTEN IN NORTH CAROLINA.*

LETTER I

ON THE PRESENT SCARCITY OF MONEY—ON PAPER EMISSIONS
—LAW'S SCHEMES IN FRANCE—TO THE FREEMEN INHABITANTS OF THE UNITED STATES.

Friends and Fellow Citizens:

In every part of these states, the great scarcity of money is become a common subject of complaint. This does not seem to be an imaginary grievance, like that of hard times, of which men have complained in all ages of the world. The misfortune is general, and in many cases it is severely felt. The scarcity of money is so great, or the difficulty of paying debts has been so common, that riots and combinations have been formed in

* Dr. Hugh Williamson, the author of the Letters of Sylvius, was born in Pennsylvania in 1735, and removed to North Carolina in 1777, making his residence at Edenton. He was surgeon to the North Carolina troops in the Revolution, a member of the legislature in 1782 and 1785, delegate to the Continental Congress in 1782, 1783, and 1784, one of the commissioners to the Annapolis Trade Convention of 1786, member of the Constitutional Convention of 1787 and of both state conventions of North Carolina which considered the ratification of the constitution, and also representative from North Carolina in the first and second Congresses of the United States. About 1793 Dr. Williamson removed to New York City, where he lived until his death in 1819. In 1812 appeared his *History of North Carolina* (2 vols., Philadelphia), an introductory volume, *Observations on the Climate of America*, having been published in 1811 (New York).

The Letters of Sylvius appeared serially in the *American Museum*, August number, 1787. They were also issued in pamphlet form, a copy from Williamson's library being in possession of the New York Historical Society. Published anonymously shortly before the adjournment of the constitutional convention, the Letters show the evils of paper money, advocate an excise rather than land and poll taxes, and favor the promotion of domestic manufactures. They also give an interesting account of commercial and economic conditions in the United States, with considerable information respecting life in North Carolina. Although a valuable source for conditions during the age in which they were written, the Letters are very rarely referred to in histories and monographs relating to the period of the Confederation. Hence the present reprint.—Wm. K. Boyd.

many places, and the operations of civil government have been suspended. This is the more remarkable, because three years have not passed since money was very plenty. A calamity of such magnitude has deservedly drawn the attention of every legislature in the union. In some of the states, paper-money has been emitted, as the best or the most convenient remedy by which the sufferings of the people can be relieved. The General Assembly of this state (North Carolina) has already had recourse to two emissions of paper. Certainly, when any article is scarce, the general remedy is, to make more: and if it shall be found, when money is scarce, that private and public debts can be honestly discharged by a new emission of paper, the expedient is admirable, for it is the most easy process by which debts were ever paid: this, however, is a subject on which many doubts have arisen. It is not questioned whether there are means by which we may be enabled to discharge our debts, and become opulent and powerful: but there are many who believe that our debts cannot be fairly discharged, nor our citizens relieved, much less can they become rich, by the manufacture of paper money. It has also been my lot to entertain some doubts whether the best regulations have hitherto been adopted, for preserving justice, for relieving the oppressed, and for securing the prosperity of the state. These doubts have given rise to the present address.

This is a question, my fellow citizens, that claims your utmost attention: for no subject of equal importance has been presented to your view, since the declaration of independence. We are going to consider whether the administration of government, in these infant states, is to be a system of patchwork, and a series of expedients—whether a youthful empire is to be supported, like the walls of a tottering ancient palace, by shores and temporary props, or by measures which may prove effectual and lasting—measures which may improve by use, and strengthen by age. We are going to consider whether we shall deserve to be a branch of the most poor, dishonest, and contemptible, or of the most flourishing, independent, and happy nation on the face of the earth.

The reader is not interested in knowing who the writer of these letters may be. A bad argument is not mended by the

supposed abilities of its author: and a good argument does not require parental support. In the meanwhile, he counts it his duty to declare, and he does it with humble gratitude, that his complaints are not occasioned by personal misfortunes; but he finds himself a member of a great family; he interests himself as a brother in the happiness of his fellow-citizens; and he suffers when they are grieved.

The more I consider the progress of credit, and the increase of wealth in foreign nations, the more fully am I convinced that paper money must prove hurtful to this country; that we cannot be relieved from our debts except by promoting domestic manufactures; and that, during the prevailing scarcity of money, the burdens of the poor may be relieved by altering the mode of taxation. Here are three separate and distinct propositions; they shall be considered apart, in order that each of them may fall or stand by its own weakness or strength.

In public measures, as in the conduct of private life, it will be constantly found that "honesty is the best policy." This maxim is somewhat old: but it is not become useless. A paper currency which is a legal tender, even when it may be depreciated 20 or 30 percent is not generally considered as an honest tender: and there are many reasons for believing that such a currency will not finally prove useful to the states. I say it has not generally been considered an honest tender. There are many people who say the money ought not to have depreciated. They say that necessity justified the manufacture; and that we are bound to receive such payment as the law prescribes: but I never have heard any man say, that it would be perfect justice to pass a law, by which every creditor should be compelled to receive three-fourths or two-thirds of his debt, instead of the whole debt, and yet such a law would be perfectly similar to the tender of depreciated paper, except that it would be a proof of more frugality and plain dealing: for it would be calling things by the right name, and it would save the expense of paper-coinage.

However convenient depreciated paper may appear to those, who use it in the discharge of debts, we have already discovered that the credit and finances of these states are injured by paper-currency: and we shall certainly continue to suffer,

unless we can be relieved from it. There has ever been found much difficulty in shaking off the prejudices of education. We have been accustomed to the use of paper-money while we continued a dependent province. Such a currency was properly calculated to prevent the growth of manufactures, and to continue our dependence and poverty. Surely, under a change of circumstances, there should be a change of measures. We ought now to consult our own prosperity, and not the emolument of Great Britain, or any other kingdom. If we are willing to take a lesson from other governments, we shall find that money is not to be made out of paper, for there is not an empire, kingdom, or state under the sun, where debts may be legally discharged by paper money, except in some of the United States of America. It is admitted that a paper medium, under the form of bank-notes or government-securities, is circulated in France, England, and most other commercial countries: but nobody is compelled by law to receive the payment of any debt in such money: hence it is, that the paper of those countries bears no resemblance to ours, except in name. Every man receives a bank-note or refuses it at pleasure. When he receives it, he knows that on the next hour he may have it changed for gold or silver, as the bank is obliged to make such payments on demand. For this reason, bank-notes, being portable, are frequently preferred to coin of the weighty metals. But it never was found that bank-notes could be circulated at par, unless when it was believed that they might be exchanged for solid money: nor could they be circulated, if they were declared to be a legal tender. The reason is obvious—the whole value of paper is imaginary, and men do not believe by compulsion. Every attempt to force a man to believe that paper is equal in value to silver implies a consciousness that it is not equal. It injures what it was intended to serve. Though the paper-money which has been emitted in North Carolina in the year 1783, had depreciated 20 per cent arguments were invented in the last year for making more money. It was alleged that under the regal government a greater sum of money had been circulated without much depreciation, and consequently a second coinage might take place; it would not depreciate. This argument was plausible, but not solid: for the value of paper

is never found to depend on the quantity in circulation, but on the security that appears for its redemption. The Bank of England, which belongs to a company of private subjects, circulates notes to the amount of thirty-two millions of dollars, though it is not believed that they have above fourteen millions in specie at any time on hands; but every man can get money for his note when he demands it. In the year 1716, soon after the death of Louis XIV, the celebrated John Law, in company with some other gentlemen, obtained a patent for a banking house at Paris. They issued notes, in which they promised to pay the bearer, on sight, a certain sum, in gold and silver of the weight and fineness then established by law. As the late king had altered the weight or quality of the current coin ten times during his reign, and the same thing might be done again, Law's notes, which were not so subject to depreciation, were preferred to specie at one per cent. Such were the effects of a general confidence in good payment. Within the space of four years, notes were issued by Law and Company to the amount of two hundred and twenty-five millions of dollars, which was twice as much as all the specie in France; but the notes retained their credit, because the company were thought to be honest and able to pay. On the twenty-first of May, 1721, the Duke of Orleans, Regent of France, issued a proclamation, by which he reduced the value of bank-notes to half the nominal sum. They were depreciated fifty per cent. This was a proof of the want of integrity, and it operated accordingly; it destroyed public confidence. It did not merely diminish the value of the notes—it annihilated them; and on the twenty-second of May, one guinea in gold could not have been purchased in Paris for one thousand guineas in notes. The history of paper-money, in all ages, is uniform. Its value depends on the confidence of the public. Let government give a single proof that they ought not to be trusted—confidence vanishes, and “like the baseless fabric of a vision, leaves not a trace behind.” Let us compare this with the history of the paper in some of our states, and consider whether it ought to have retained its value. The first emission of the state of North Carolina, in 1783, was to have been redeemed by the sale of forfeited estates. That foundation was soon removed:

and those estates were converted to another use. The money depreciated and recourse was had to another coinage. This second structure was raised, if possible, on a worse foundation, for it had not even the appearance of stability. Taxes are paid for calling in the money, and it is immediately restored to circulation. Was it expected that such money should pass as gold or silver? No, certainly. The legislature themselves do not seem to have expected that it should be considered of equal value. Tobacco, a staple of North Carolina, has been purchased by the public for two prices in this new money: and creditors at the same time are compelled to receive it as specie, in the payment of debts. Is this justice? Strangers will call it by a different name.

I have attempted to shew, according to the fate of paper in other countries, that it was not to have been expected, that our money should pass as gold or silver. Everybody knows, that it is more or less depreciated in all the states which have emitted it. It is therefore not a good payment, though it be a legal one. I shall now endeavor to show that it must finally prove hurtful to the states, and that it could not have brought us substantial relief, though the whole of it had passed as specie.

SYLVIVS.

LETTER II

ON PAPER MONEY—CONSEQUENCES OF DEBASING THE COIN OF A NATION—IMPORTS OF PENNSYLVANIA—DITTO AND EXPORTS OF NORTH CAROLINA—CAUSES OF THE SCARCITY OF MONEY—RUINOUS EFFECTS OF IMPORTING SUCH IMMENSE QUANTITIES OF LUXURIES AS ARE INTRODUCED INTO AMERICA—INJUSTICE OF TRADE LAWS.

Friends and Fellow Citizens:

It is painful in all cases to animadvert on public measures, lest we should hurt the feelings of any citizen with whom such measures have originated. But truth is the friend of every man: and the author of every public measure, if he be a good man, treats it as other men do: he supports it while he believes it to be good; he forsakes it whenever he finds it to be hurtful.

For this reason I shall proceed freely in considering the effects of paper-money. I have said, that paper-money, which is a legal tender, must prove hurtful to this country; when made, it must depreciate, and the effects of depreciation are unfriendly to industry, injurious to the poor and destructive of good morals. On the supposition that the paper currency in some of the states has depreciated one-third, it will follow, that the different citizens to whom this money was first paid, in its depreciated state, must have lost 33 1-3 per cent on every payment: but as every bill of paper may have passed frequently from hand to hand, it will follow, that the several citizens of that state may have suffered the loss of ten times that sum by receiving bad money, instead of solid coin, to which they were entitled. This must have been a very considerable tax: and unfortunately it was a tax of the most pernicious kind: for it was a tax on the frugal and temperate in favour of the idle, the profligate, and luxurious. It cannot be right in government to protect and encourage vice. It is a plant that thrives sufficiently in every soil, without the help of legislative authority. In support of a measure that agrees so little with the common ideas of justice, we have been told, that money was wanted for the sake of the poor, that they might have a medium wherewith to pay their debts and taxes. Whoever has reflected on the circulation of paper-money, will be apt to say, that the honest poor man has not been the chief gainer by it. There is some difficulty in discovering how the poor man should be profitted by a coinage of money. If he had been possessed of marketable property, before the money was made, he might have sold it for the full value: for there has been no season in which produce has not sold for more than its worth. The exporters have been losers. If the poor man had no property for sale, neither could he have got any of the new money, unless it was to have been given away. There is doubtless some obscurity in this business, unless we allege, that depreciation was intended, and this we are not willing to suspect. Let us suppose that the poor man may have gained a trifle by the depreciation of money; what is such a gain when compared with his sufferings by the loss of credit? No man can expect to borrow money, nor obtain goods on credit, when government does not support the

creditors against dishonest payments by base money. When the rich are taught by government not to give credit, the sufferings of the poor must be increased: and when credit is destroyed, industry must languish: for they are constantly found to flourish in proportion to the honesty of government, and the stability of the legal money. So lately as in the 43d year of Queen Elizabeth, the coin of England was debased almost nine per cent by Parliament, and about that time the coin of France was frequently altered. The commerce of those nations suffered greatly by such instability. They have since profited by their good faith. There is no country in which the value of money has been so perfectly stable, as in Holland, for the last two hundred years; and it is admitted, that no country has prospered so much by commerce, nor is there any in which the interest on money is so moderate. Security of property has ever proved the spur to industry; hence we find that arts and commerce have flourished most in republican governments; for in absolute monarchies, the value of money is not stable, and in despotic governments the case is worse: in such governments we seldom find much industry. In republican governments, the property of the citizens has generally been safe. To this we ascribe the progress of arts and commerce, and the consequent wealth of Athens, Carthage, and Venice; of the Hans Towns and the United Netherlands. In those republics, the governments have not been used to depreciate their coin. Time will show how the experiment succeeds with us. The chief advantage that appears to have arisen from depreciated money, is, that fraudulent debtors have been enabled to discharge their contracts on easy terms. It is admitted that the debts of citizen to citizen may be somewhat lessened by this species of payment: but the foreign debt is not diminished by such means; on the contrary, while we are using those desperate remedies against one another, our foreign debts have been increasing every year.

Most of our debts have been contracted since the spring of 1783. If our imports could be compared with our exports, the balance against us would be the amount of our debts; but it is difficult to determine what has been the amount of foreign goods imported into these states since

the peace. Our public accounts cast but a faint light on this question. Generally speaking, without a boat or searcher in any of our ports,—the strictest attention not being paid to the revenue—people are invited to smuggle goods; detection is not apprehended; and time has nearly established the contempt of custom-house oaths. The amount of goods imported into Pennsylvania, since the peace, and consumed there appears to exceed two millions of dollars a year. In fixing its quota of the national debt, we find, that in the year 1783, Pennsylvania was supposed to contain 320,000 inhabitants, and North Carolina to contain 170,000, which is more by 10,000 than half the number contained in the former state. It is true, that negroes were taken into the estimation: but three negroes were reckoned as two whites. According to this estimation, we should suppose that the consumption of foreign goods in the State of North Carolina has been equal to more than one million of dollars every year. It may be objected, that winter is more severe in Pennsylvania than in North Carolina, and that three negroes do not consume the same value of clothes as two whites. This objection is more than balanced by observing, that nearly two-thirds of the citizens of Pennsylvania have originated in Germany, or the north of Ireland; and have imported such habits of industry and dexterity in the mechanic arts, that they make little use of foreign manufacturers. Divide one million of dollars by 170,000, and it does not give quite six dollars for each person. Part of the inhabitants, suppose one-fourth of them, being slaves, and three slaves being counted as two whites, there will not be four dollars for each slave. We admit, that the annual consumption of many slaves, in foreign goods, is below four dollars, even when rum is included: and some white inhabitants do not consume to the amount of six dollars: but there are many who consume ten times that quantity. This computation was made on the supposition that no goods have been smuggled into Pennsylvania: but some of the citizens of that state have also calculated, that the account of perjury, like the tenor of their respective wills, is not to be examined till after death. They have conducted themselves accordingly. This inference is founded on a late association of merchants in Philadelphia to

prevent smuggling. We may fairly add 200,000 dollars for this account.

We shall now consider what have been the annual exports of North Carolina, in order to determine the amount of debts contracted since the peace. The produce exported from Currituck, Edenton, Bath, Newbern and Wilmington, in the last year seems to be valued not too high, when stated at \$506,700.* The tobacco, rolled into Virginia, and produce conveyed to South Carolina may be stated at 400,000 dollars, and there will remain a balance of £117,320 not accounted for. According to this computation, North Carolina has contracted a debt of 293,000 dollars every year to foreigners, or to people who live out of the state, to be paid to foreigners. No part of this debt has been discharged by the operations of paper-money, the whole advantage of depreciation being a mere juggle, by which one citizen is injured for the convenience of another. Their extravagance therefore, is the sole cause of this alarming scarcity of money. They consume more than they can pay for; and, until they become frugal and more industrious, the grievance must increase, notwithstanding their little attempts to elude the burden, by throwing it upon one another. If no debts were due in the state, except those which are due to merchants, or the importers and retailers of goods, they would long since have discovered the true cause of the scarcity of money; the merchants' books would have told the amount of their debts: but it is an unfortunate circumstance, that a small share of those may be directly due to the importers of goods, though the whole of them are occasioned by such importations. In order to account for this, we are to consider, that merchants have a better opportunity than other people to receive payment of debts: for produce of all sorts will suit them instead of money.

Thus it may happen, that A buys a horse from B, for which he is to pay eighty dollars, as soon as he shall have sold his crop. B purchases cattle from C, for eighty dollars, which he is to pay, when he receives payment for his horse: and C em-

* In this computation, tobacco has been valued at 26s. the hundred. Pitch and turpentine at 10s. Tar 6s. Pipe staves 81. hhd. staves and heading 41. Corn 15s. the barrel. The whole to be paid in specie at the port where they are shipped. Merchants know best whether they are worth more, considering the various burdens with which our commerce at this time is loaded.

plys D to repair his house, for which he is to pay him out of the price of his cattle. In the meanwhile, A. tempted by the allurements of a neighboring store, buys foreign goods, silks, gauzes, rum, and such other *necessaries*, for the use of his family, and he delivers the whole of his crop in payment, for which he is allowed a *generous* price. Thence it must follow, that B, C, D, and every other letter in the alphabet, are disappointed, each of them is in debt, and they all complain of the scarcity of money, without perceiving that all these debts continue to be unpaid, from the folly of A in buying foreign goods, and yet the goods are paid for. Thus it is, that our citizens are universally involved: many of the debts are due to merchants; but a much greater amount is due to people who are not merchants: and we seem not to have discovered, that we are nearly ruined by foreign luxuries. Let any man cast his eye on this account: let him think of a state whose citizens are given up to indolence and vanity—who, in the space of three years, have plunged themselves in debt at least three hundred thousand pounds: let him observe how the property of our citizens is daily mortgaged to strangers and foreigners, and the inheritance of our children bartered away for fineries and fopperies: let him observe the desperate situation to which we are reduced, merely to obtain a transient release. The dignity of government is wounded—base money is declared to be a legal tender—the diligent man is plundered for the benefit of the indolent and extravagant—industry languishes, for property is not safe—the orphan is defrauded*—and the most atrocious frauds are practiced under the sanction of the law. Surely, it is high time that other measures were adopted.

SYLVIVS.

* Some months ago, a young adventurer, in North Carolina, married a widow who had three children. She chanced to have three thousand hard dollars in the house, of which two-thirds belonged to the children. The guardians claimed their share of the specie for the children: and the *honest* step-father is now buying up paper at twelve or thirteen shillings for the dollar; and such money will be a *legal* payment for the use of the orphans. Is it strange that paper depreciates, when such men are profited by the depreciation!

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LETTER III

ON FRUGALITY AND INDUSTRY—IN OLD NATIONS, IT IS WISE AND POLITIC TO ENCOURAGE LUXURY IN DRESS—THIS CONDUCT FOLLY AND MADNESS IN AMERICA—EXPENSES OF THE POOR IN ENGLAND AND FRANCE—FALLACY OF THE IDEA THAT IT IS BETTER TO CONSUME FOREIGN GOODS THAN AMERICAN, AS THE FORMER ARE CHEAPER.

To the Freemen Inhabitants of the United States—Friends and Fellow Citizens:

In all cases, it is more easy to complain, than to point out the means of relief. It is also more easy to give wholesome advice, than to adopt proper remedies. It is a downward, easy path that leads to ruin: but it is a rough and uphill road, which leads to prosperity. Every amendment is at first unpalatable. For this reason, I shall recommend with indifference, what is likely to be followed with reluctance.

We complain in general, that money is scarce. We are mistaken about facts: for the thing alleged is not altogether true. Pride, or the force of habit, prevents us from discovering the truth. There is no country in which money may be acquired with more ease than in America: and every man has it, who has any right to expect it, except in cases where government interferes. But most of us ought not to have any money: we have not deserved it: for we have expended more money since the peace, than we have gained: whence it is, that we neither have money, nor any kind of marketable property, by which we can pay our debts: no man or body of men can have either, whose expenses exceed their income. There is a certain and plain process by which our complaints may be relieved:—the bad effects of indolence and luxury must be cured by diligence and economy: and the whole of our debts may be discharged in a few years by industry and frugality. When are we likely to obtain money by such means? No man can attend to the prevailing conduct of the Americans, without expressing his fear that the period is very distant. Instead of finding general proofs of industry, economy, temperance, and other republican virtues, he sees a nation that is more luxurious, more indolent, and more extravagant, than any other peo-

ple on the face of the earth. In drawing this figure, I may be charged with high colouring: but the reader is requested to examine the original, and if he finds us the most luxurious and improvident of all nations, he will certainly admit that some restraints might help to increase the quantity of money among us, or might prevent the occasion for it.

Every empire under the sun is supposed to be independent of any other: that is to say, the subjects of every empire are supposed to enjoy a natural as well as a political independence. It is presumed that they clothe and feed themselves. This, in former times, was obviously the case in all countries: but the introduction of commerce has produced many seeming variations from this rule. Industrious nations, which have more provisions or clothing, of any particular quality, than are necessary for their own consumption, send them abroad to be exchanged for money, or for some other kind of clothing or provisions which they like better, or which they cannot prepare with the same ease: but still their exports and their imports are nearly equal, and the quantity of imported goods consumed by every nation, bears a very small proportion to which they consume of their own manufacture. This is true even of the Spaniards, though national pride or indolence seems to furnish them as an exception to this general rule. They depend on other nations for many important manufactures. The consequence is obvious. Though they possess the rich mines of Mexico and Peru, they are, by neglecting useful manufactures, become a poor nation; and are every year decreasing in numbers and strength.

We observe that most other nations maintain a kind of barter or exchange of manufactures with one another: but still the great body of the inhabitants, rich and poor, are clothed in the manufactures of their own country. Is this the case in the United States? With us the master and his slave, the farmer, the mechanic, and merchant, are all clothed, from head to foot, in foreign manufactures: this is not because we have not got hemp, flax, and cotton sufficient: there is no country where those articles are produced with less trouble; nor is there any difficulty in procuring wool. But our imports are not confined to clothing. No small share of our

furniture is of British manufacture. Saws, hammers, hoes, and axes, are also imported, as if the wolf had made war against our iron as well as against our sheep. In every small town we are cherished with Irish butter and beef, and with British ale, porter, and cheese, as if the country did not produce hops, barley, or black cattle. Lest absurdity should not go on stilts, and folly ride the great horse, we make large importations of hazle and oak sprouts, under the name of walking canes. Surely there is no scarcity of wood among us: but our sticks are not foreign. In excuse for all those follies, we are told, that a man has the right to all the comforts of life which he can pay for: and perhaps it may be questioned, whether he has a right to give examples, and introduce follies, that may prove ruinous to his fellow citizens. Under the head of luxuries, we may fairly include every imported article, because this country certainly produces all the necessities of life. It is hardly requisite to visit a large town in order to determine whether the luxury of dress is become an offense against decency, as well as a sure road to bankruptcy. In this remark, no particular reference is made to the dress of either sex: for they are equally attentive to the privilege of being in fashion. It is true, that some doubts have arisen concerning the meaning of the word fashion. In most countries, fashion in dress is understood to mean the form and quality of clothing, which is used by the most respectable inhabitants, or by the great majority of the nation. From late observations, we are taught to suspect that the word has a different meaning in the United States. Among us, a person is understood to be in perfect fashion who is rigged off with something that has not been seen or heard of before in the state. On this principle it is, that we have seen new forms of head-dress, like bullets in a pop-gun, kick out one another so fast that we could hardly learn their names as they passed in review. Perhaps we shall be told, that an American is not in fashion, who dresses like other Americans: he must dress as people do in London. If they change their clothes once in a month, so must we. If they wear buttons of the size of a saucer, in the form of a hexagon, or a square, so must we. What a pity it is, that fashions should wear out in London, before they can arrive at New York or

Philadelphia. If there was a glass in the moon, we might catch the fashions as they rise. How does it fare with nations who have no change in the fashion of their clothes? Have the women in those countries fewer charms, or have the men less discretion, than we have, who are subject to weekly revolutions? Surely, the whim of this day has no more intrinsic beauty than the whim of yesterday.

In old nations, where manufactures flourish, and where wealth is unequally distributed, some of the inhabitants being exceedingly rich, and the great body of them miserably poor, it is wise in the government to encourage luxury and caprice in dress. By those means, the wealth of the rich circulates through the hands of the manufacturing poor. But our situation being entirely the reverse of theirs, what is sound policy in those countries, must be folly and madness among us. When we encourage luxury, it is to enrich another nation, and to make our own citizens poor. Can there be a greater treason committed against the states? The Chinese and Japanese, great, politic, and wise, nations are distinguished by a national dress. The Dutch, though they are surrounded by nations who are as changeable as the moon, have submitted to little variation in dress for two hundred years. Their commerce does not, like that of France and England, depend on their manufactures: and nothing less than rigid economy could make them respectable. Nothing but necessity can justify us in the use of any foreign manufacture. Doubtless, the word necessity is very ambiguous. Most people contend that what they buy is necessary, provided they can barely discover the use of it. We have the daughter of a labouring mechanic pay her afternoon's visit, dressed out in more lace, ribands, gauze, and silk, than her father could have earned in twelve months in any part of Europe. Were those things necessary? We have seen a young buck, the son of a planter, who scarcely sold one hog-head of tobacco in the year, on his way to quarter-races fitted out for the sake of propriety, with white silk stockings under his boots, a pair of *Durable* black silk breeches, and more silver on his saddle and bridle, than the value of his father's estate, if his debts were paid. These were a few of his *necessaries*. It is very observable, that in other countries, people

who live by their industry, and *are obliged to pay their debts*, do not find such things necessary. It is alleged that in England, the food, raiment, and other necessities of a labouring man, cost him annually about 7.10s. sterling: deduct a moderate allowance for food, fuel, and house-rent, how much will remain for clothes? The Marshal de Vauban, considering what taxes may be paid by a labouring man in France, estimates his annual expense in clothing at somewhat less than forty shillings of our money: This includes the clothing for himself, his wife and two children. It may be noted, that half the subjects, both in France and in England, come within the foregoing predicament: they are either mechanics or day-labourers. Compare their expense with ours, in the article of dress; and it must be admitted that an epidemic madness has laid hold of us.

It is alleged, that the citizens of the United States have contracted debts, within the last three years, with the subjects of Great Britain, to the amount of near six millions of dollars; consequently, our estates are mortgaged for that sum. Painful sensations must arise to every man who loves his country, from the prospect of such beginnings. Thus it was, that Corsica was mortgaged to the more industrious citizens of Genoa, for silks and velvets: and it was afterwards sold to a foreign power.

We shall be told, in excuse for imported luxuries, that we buy goods cheaper than we can make them; and that a man earns more in his tobacco or corn-field, than he could earn at a loom, or by other manufactures. These positions are fallacious and ill-founded. Both experiment and calculation prove them to be false. During the late war goods were dear, and we did not run into debt: for we bought few—manufactured some—and were frugal. Since the peace, goods have been cheap, and we have nearly become bankrupts. It appears that our earnings in the field have not been equal to the price of the goods that we have consumed. Every domestic manufacture is cheaper than a foreign one, for this plain reason: by the first nothing is lost to the country, by the other the whole value is lost; it is carried away never to return. It is perfectly indifferent to this state, or to the United States, what may be the price of

domestic manufactures, because that price remains in the country. Every man is supposed to be employed in some profession—he is a mechanic, etc., or he is employed in raising provisions for those who are. In Great Britain, the farmers are to the manufacturers as four to three. In this state (North Carolina), where provisions are more easily raised, the number may be equal, because the labor of one man in the field is more than sufficient for the nourishment of two. Let the manufacturer demand what he pleases for the produce of his labor, the farmer can easily settle the account by selling his provisions accordingly. The annual consumption of goods in this state has been estimated at a million, or rather a million two hundred thousand dollars in specie, or produce to that value, have been sent out of the state, and we are so much the poorer. Suppose the whole of those goods had been manufactured within the state, or a sufficient quantity for our consumption, and that they had cost the consumers, or been valued at two millions of dollars; would the citizens of this state have lost eight hundred thousand dollars by this difference in price? The very reverse would have happened. They would have gained, or they would have saved, one million two hundred thousand dollars: for not a single dollar would have been sent out of the country.

No man is to say that a thing may be good for individuals, which is not good for the public; or that our citizens may thrive by cheap bargains, while the nation is ruined by them. He is neither a politician, nor a patriot, who would use such a cloak. Let us turn our attention to manufactures: and the staple of our country will soon rise to its proper value: for we have already glutted every foreign market. By this expedient, instead of using fictitious paper, we shall soon obtain hard money sufficient; instead of toiling in the field, and becoming poor, that we may enrich the manufactures of other countries, we shall prosper by our own labor, and enrich our own citizens.

SYLVIVS.

LETTER IV

FURTHER REMARKS ON TENDER LAWS—NECESSITY OF ENCOURAGING AMERICAN MANUFACTURES—ADVANTAGES OF A NATIONAL DRESS—ABSURDITY OF SERVILELY COPYING THE FASHION OF EUROPE—NEW ENGLAND WELL CALCULATED FOR MANUFACTURES—INTERESTING STATEMENT OF THE SUM CONTRIBUTED BY AMERICA TO THE SUPPORT OF THE GOVERNMENT OF GREAT BRITAIN, BY CONSUMING HER MANUFACTURES.

To the Freemen Inhabitants of the United States—Friends and Fellow Citizens:

It has ever been found, that speculative reasonings are weak and inconclusive, when opposed to the prejudices or passions of a nation. There is something so bewitching in luxury and idleness, that nothing short of hard necessity can banish them; perhaps this great reformer is not far distant. When a man sees his fellow-citizens posting at full speed to destruction—when he sees them attempt to mortgage their whole estate for a whistle and bells, and the legislatures of some of the states holding a candle to the prevailing folly, by cherishing the idle at the expense of the industrious—he comforts himself that the race is nearly run. It was not sufficient that the whole produce of our country during the last three years has been exchanged for luxuries—all the hard money that could be collected was also exported; but there was still a remnant of hard money in many of the states—the people retained it for the necessary purposes of exchange, and merchants could not get it out of their hands. In order to banish this remnant of hard money, our legislatures are following one another in making a paper tender. By this happy expedient, people will be enabled to ruin themselves; every farthing of specie, which seems to be obnoxious, will be exported, and we shall be as poor and penniless as Tartars.

When our merchants are involved in a general bankruptcy, and when the officious friendship of foreign merchants is sufficiently punished, who tempted us to run in debt, there will be an end to the importation of foreign goods, and necessity will effect what prudence could not.

I have for some time looked for those marks of political virtue, those proofs of self-denial, which produced the revolution. I have expected to see associations formed by gentlemen in the several states, for promoting American manufactures. For as soon as we can make our own clothes, and our own arms, we shall be perfectly independent. Surely the man who is clothed in American manufactures, which he wears for the sake of enriching his native country, and relieving his fellow-citizens, may be allowed to have some claim to patriotism, which is the most honorable garb that can be worn.

While we are considering of the various means by which our fellow-citizens may be relieved from a scarcity of money, the subject of dress claims our particular attention. Our interest and our honor are united in recommending a national dress. National prejudices are useful: they attach people to those of their own country, and induce them to assist one another. In most cases, a national language answers the purpose of distinction: but we have the misfortune of speaking the same language with a nation, who, of all people in Europe, have given and continue to give fewest proofs of love. We do not count it an honor to imitate the forms of government that prevail in Europe—why should we think it honourable to imitate the fashion of their coats? "*O imitatores, servile pecus!*" Why should we imitate the dress of a man from London, more than of a man from Ispahan, Pekin, or Constantinople? Surely we do not mean this imitation as a mark of homage to a Briton—nor do we pay it as a tribute, though it renders us tributary. We do not mean to acknowledge that Britons are superior to ourselves in everything, whence we should imitate and strive to copy them. How, then, are we to account for this sycophantism? Though it was profitable, we are placed thereby in a point of view so humiliating, and so offensive to the common feelings of men, that we ought to break the fetters, and give another proof of our being free. But since the imitation of English fashions cannot cost the United States less than five millions of dollars per annum—every argument for economy as well as pride seems to recommend a national dress. What would be the best form of a national dress from head to foot,

a dress to be adopted and persevered in. This question may possibly be answered by some person who shall attempt the change. If a few respectable citizens in every state should undertake the change, beyond doubt it would soon become universal. It is true that national dress, like their several forms of government, has been established in most countries by a long process of time and accidents: but the Americans have had the resolution to shake off a set of prejudices, and at once to establish a new system of government. Such a nation might easily shake off the trammels of English fashion in the hat or coat, especially when it is considered that great saving and other solid advantages would accrue from such a measure. If a national dress be adopted, we shall have nothing to apprehend from the effects of caprice. We are not to fear lest every adventurer, who arrives among us with a new figaro on his back or head, should eclipse our dress, and claim the greater attention of the ladies. It will constantly be found that the national dress in every country, is more decent and pleasing to people at large, than any new adventitious or foreign dress. Every stranger who comes among us, will think it best to assume the dress of the country. If he affects to become a citizen, he will find it necessary. It is the privilege of a conquering nation to impose its dress upon the conquered. This becomes a mark of subjection. There has been a notable exception to this rule. When the Tartars conquered China, the Chinese had the good fortune to preserve their dress, and the Tartars submitted to a change: hence the Tartars in that very empire are considered as secondaries and inferiors. Whether we shall submit to the perpetual rule and customs of England, and acknowledge ourselves subordinate, is a question that is not likely to be determined speedily. The present appearances are against us. I have mentioned the English, because it is certain that we do not copy French dress, though that also would be folly.

The measures to which I have referred, would certainly relieve us from a scarcity of money: but they are rather to be effected by the spirit of the nation, than by legislative interposition. They are rather to be effected by voluntary patriotic associations, than by express and particular statutes. It is im-

possible to foretell where any salutary measure is to have its beginning; but as the amendment in question will doubtless be produced by the combination of sundry causes, I should naturally expect that some of the eastern states would give us the example. Not because the citizens of those states are at this time distinguished by the frugality of their dress; for we believe that no people in the United States have fought more greedily to ruin themselves, by the luxury of dress, than some of the inhabitants of the eastern states. Nor is it because the tradesmen or mechanics in those states have any particular claim to patriotism, if it be true, as has been reported, that as soon as the legislature of Massachusetts had imposed a heavy tax on certain imported goods, to encourage the manufacture of similar articles at home, the mechanics raised the price of those very articles by the full amount of the tax. For instance, two dollars being the tax that was laid on beaver hats—the hatters immediately added two dollars to the eight dollars they had formerly demanded for a beaver, as if they wished by extravagance to provoke a repeal of the law, or to promote smuggling. If such reports are well founded, and if such instances of extortion are common among the mechanics in the eastern states, we are not to look for proofs of signal patriotism among them. The eastern states are particularly circumstanced with respect to foreign commerce. They produce nothing fit for exportation. The fishery cannot be considered as theirs; for it is common: and the trifling amount of lumber and live stock, the produce of the country, that is exported cannot be sufficient to clothe one-tenth of the inhabitants. In the meanwhile, it is very observable, that no people can be more conveniently situated for the purpose of extending manufactures than the citizens of Massachusetts, New Hampshire, Connecticut, and Rhode Island. The climate is extremely healthy, nor is it too warm for a white man to labor through the whole summer. Domestic slavery, which has ever been found unfriendly to manufactures, does not prevail among them. A great proportion of the inhabitants are contiguous to one another in small towns, which are the proper nurseries of manufactures, and most of those towns are situated on or near a water-carriage. The citizens are naturally industrious

and tractable. Whatever raw materials they want, can easily be procured from the southern states. As the number of citizens increases in the manufacturing towns, provisions may become scarce: but the corn and rice of the southern states must afford them a convenient and constant supply. Vessels that are not employed by winter in the fishery, may be usefully engaged in carrying provisions in exchange for manufactures: for in such a soil and climate as the southern states, there must ever be a redundancy of provisions. Surely, then, it may be expected, that the citizens of the eastern states will be among the first manufacturers. There we see a people who cannot long persevere in the course they have been running—a people who are persuaded by every argument of prudence and sound policy to adopt other measures—are we not to expect some useful, some great and patriotic examples from that quarter!

If other arguments are wanted to induce us to promote domestic manufactures, and a national dress, we had best consider the question concerning imported goods, as it effects our own revenue, compared with the revenue of a foreign kingdom. When the subject is viewed in this light, we must admit that our present measures are neither supported by patriotism, nor by any other civil or political virtue.

The foreign goods annually consumed in this state, have been estimated at more than one million of dollars; perhaps we may fairly state the amount of British goods at that sum; consequently, the subjects of Great Britain are enriched by our follies to the amount of four hundred thousand pounds per annum. How much do we contribute towards the taxes of Great Britain by such a consumption of her manufactures?

This is a question that has not been fully considered: but I think the amount may be fairly stated at seven hundred thousand dollars by the year. To some Americans this computation may appear extravagant: but gentlemen who have seen the burdens that are borne in foreign countries will not think it too large. It is generally alleged that a man pays fifteen shillings for the use of government, out of every twenty shillings that he spends in England. Some have stated the public tax at seventeen shillings in the pound. Let us take an instance in the article of beer.

The land pays a tax. The barley which grows on it, when malted, pays an excise of six-pence by the bushel. Hops pays one penny by the pound. The beer, when brewed, pays an excise, greater, in some cases, than the original value. And all the persons who labour in the premises, contribute to the national revenue, by their sundry consumptions to the amount of three-fourths of the whole price of their labor: this also must be charged on the beer. Surely, then, the consumer of beer pays more than seventeen shillings to government for every twenty shillings which he expends in that liquor. But I have taken fourteen shillings in the pound, as a moderate estimate of the sum that a man in America pays towards the support of government in Great Britain, who consumes British manufactures. It follows of course, that we have, for the last three years, been paying into the British treasury a tax upwards of two hundred thousand pounds per year. Strange liberality! While our own taxes are neglected, our government degraded, and our private debts unpaid, we are freely giving up the last farthing for the support of a foreign government. The whole of our foreign debt would have been discharged by a smaller sum than we have already paid into the British treasury: but our money is gone, and every part of the foreign loan remains unpaid. While we are neither honest nor grateful to those who befriended us in the hour of distress, we are extremely beneficent to those who stand in a different predicament. A nation that takes so much pains to injure itself, cannot possibly prosper. If the general use of British goods, in these states, could be improved so as to bring a fifth part of the sum into our treasury, that it brings into the treasury of Great Britain, our civil government would be well supported, our foreign loans discharged, our national honour preserved, and our citizens fully relieved from the burden of positive taxes. These are objects devoutly to be wished.

SYLVIVS.

LETTER V

ON THE NECESSITY OF ALTERING THE PRESENT MODE OF TAXATION—HARDSHIPS OF THE LAND AND CAPITATION TAX—AN EXCISE ON LUXURIES PARTICULARLY CALCULATED FOR AMERICA.

To the Freemen Inhabitants of the United States—Friends and Fellow Citizens:

In all governments, the relief of the poor should be one of the chief objects of legislative attention. Every citizen demands justice and protection from government. These should not—they cannot be refused. But the poor man has other claims. His wants and his sufferings must be in proportion to his degree of poverty. Humanity requires that his sufferings be prevented or relieved, so far as may consist with the steady and impartial administration of justice. It is inconsistent with honesty or sound policy, that the rich should be defrauded or plundered, for the sake of the poor: but the fiscal and economical laws of every state should be so framed, as to encourage and assist the poor in their usual employments. The necessary burdens of civil government should be so fashioned, as to press on their shoulders in the most convenient and easy manner that is possible. The general payment of taxes is absolutely necessary to the support of any government: but when money is remarkably scarce, it must be difficult for the poor man to pay his taxes: and in many cases, he may find it impossible to make the annual payments, without the public sale of some part of his property. Every distress of this kind ought to be prevented, if possible. Perhaps the most easy and effectual method of preventing the poor man from being distressed in the payment of taxes, is by altering the general form of taxation, or by substituting an excise in the place of a tax on property, which is common in North Carolina.

That tax, or additional price, which in most countries is laid upon certain goods, when they are sold for consumption, is called excise. Thus, a retailer of spirituous liquors may be required to pay for the support of government, one shilling for every gallon of wine that he sells: and the shop-keeper may be obliged to pay half a crown for every yard of silk or cloth he

sells. This tax is very different from the customs, or duties that are usually paid on the importation of foreign goods. It is a subsequent tax, and frequently much heavier. In many cases, it is laid on articles of domestic production. In England, several millions are annually raised by an excise: in France, the revenue from an excise is larger: and in Holland almost the whole of the national expenses are paid by different excises. Almost everything in that country, which a man eats or drinks, is subject to an excise: and in some cases, the excise is nearly equal to the prime cost.

It has frequently been said, that when the citizens of any state are obliged to raise a certain sum of money by the means of taxation, there can be little difference by what name the tax is called, or how it is laid. But this opinion is ill founded. The capitation-tax, and land-tax, such as are usual among us, are inevitable and positive taxes: they are not to be averted. The industrious man cannot elude them: the unfortunate cannot escape them. Every citizen must take out his purse, and pay the amount. But the excise is a negative or indirect tax. When it is laid on foreign goods, no man is obliged to pay any part of it: and when it is laid on domestic luxuries, no prudent man will pay much of it. It will frequently happen that the most virtuous and industrious citizens are greatly distressed by domestic sickness: and it will happen, that whole countries are distressed by intemperate seasons and short crops. In all such cases, the excise operates as a relief to the citizen: for he buys no luxuries on that year, and consequently he pays no taxes, provided luxuries only are excised.

Let us suppose a very frequent case: a poor man is possessed of one hundred acres of land, hardly worth one hundred dollars. His land-tax will be twenty-five, and his poll or personal tax fifteen shillings. Does it not frequently happen, that the public officer, at the season for collecting taxes, finds such a man without forty shillings in his pocket? Perhaps he is seldom possessed of so much money at a time. It would certainly be strange if the poorest man in the state, who is not a cripple, could not earn, in the year, three times the sum that has been mentioned, besides what is necessary for the support of his family: but economy and a provident foresight are not

the characteritics of the poor. In fact, the poor in these states are generally poor because they want those qualities: why, then, are we to suppose a man to have the thing, which we ought rather to suspect he has not? Or why shall we make it necessary for a man to treasure up money for several months, who never cared for tomorrow? The land-tax or the personal tax may appear at first sight to be small burdens: but experience has taught us that they are not easily borne. On the other hand, the most indolent or the most careless citizen cannot possibly be incommoded by an excise. If he should have no money in the course of the year, nor anything to sell, he will not be able to buy anything, and consequently will not pay any tax. Whenever he shall be able to buy any foreign commodities, he will pay his tax in buying the goods; for the excise is added on the price of them: it is paid by the merchant. Suppose the excise on rum to be one shilling the gallon, whoever buys one gallon of rum, must pay a tax of one shilling: for in this case, the rum will cost him six shillings instead of five. The same rule may be applied to every article of foreign make. Prudence would dictate, that articles which are least necessary, and articles which may soonest come to perfection in the state, should bear the heaviest tax. The natural and constant operation of this tax is two-fold. It is a voluntary tax, and it is a spur to industry. No man pays the tax, who is not able and willing to buy foreign luxuries: therefore it is voluntary. The man who is diligent, and manufactures for himself, has no occasion for those luxuries: therefore it is a spur to industry. In a word, all taxes on property are burdens on the good citizens: they discourage industry. All excises, or taxes on consumption, are taxes on luxury and dissipation; they punish idleness and promote industry. Can we hesitate in making our choice?

The opinions of men have been variously affected in different countries, on the question concerning an excise, or a land-tax, according to their passions or their prejudices. In England, the excise has been unpopular, because the multitude, who are poor, suspect that they are chiefly affected by such taxes. They continue to prefer a land-tax, because none of themselves have any land. Doubtless, a land-tax is very proper

in that country, because the owners are wealthy, but in America the case is different; the poorest of our citizens commonly possess a little land. In France, a land-tax is very obnoxious, because it is thought to infringe upon the privileges of a number of nobility. Their excise is chiefly on the necessities of life; and is, for that reason, very burdensome. The revenue of the Roman Empire, in its prosperous days, arose chiefly from excise and customs. That jealous and wise nation did not readily submit to a personal or to a land-tax. There was a very hurtful trade carried on between Rome and the East Indies, by the way of Alexandria and the Red Sea. By this trade, a large balance of silver was exported from the empire; frequently to the amount of three millions of dollars a year. The returns were chiefly in silks, jewels, and spices—perfect luxuries; for which reason their East India trade was charged with a heavy excise.* Augustus ventured to impose a tax of five per cent on legacies and inheritances, which was very productive, with the advantage of being a negative tax. The land-tax, and poll-tax, had been long in use through the provinces: but they do not appear to have been generally imposed on the Roman people before the reign of Galienus, who succeeded Dioclesian. From that period, direct or positive taxes became universal. What was the condition of the Roman people under the administration of customs, excises, and other negative taxes, compared with the times in which the land-tax, the poll-tax, and other positive taxes, were universal? It was an age of gold, compared to that of iron. Humanity is shocked at the tales of woe that are told. Parents are said, during the latter ages of the empire, to have sold their children and themselves into slavery, in order to shun the burden of taxes.

All wise governments have thought it their duty, on special occasions, to offer bounties for the encouragement of domestic manufactures: but an excise on foreign goods must operate as

* If we admit that the excise on East India goods was equal, as we are told, to an eighth part of their price—and if we also admit, as Pliny alleges, that East India goods were sold in Rome at one hundred for one on the prime cost, and that 3,733,332 dollars and upwards, were annually transmitted to India for the payment of those goods, the excise must have exceeded forty-six millions of dollars annually: but though silk may have been sold, as is affirmed for its weight in gold, the general advance seems to have been stated too high: be this as it may, it was very proper that a trade so destructive of money, should be compelled to contribute greatly to the public revenues.

a bounty. Suppose that our annual imports into these states are worth 4,000,000 pounds, an excise equal to a tenth part, would bring 1,100,000 dollars into the treasuries. This would be a very respectable addition to the revenues of these states, and would operate in proportion as a bounty for the encouragement of domestic manufactures. It is true, that as our manufactures increase, our revenue by excise must decrease: but our abilities to pay taxes by some other means, must increase much faster than the excise decreases. Thus, an excise of two shillings may be paid in the purchase of a pair of imported shoes, which are supposed to be worth ten shillings: the tax goes into the treasury: but ten shillings, the price of the shoes, are sent out of the country. The next year such a pair of shoes is made in the country: in that case, the two shillings are sunk in the revenue, but ten shillings are saved to the state, and some of the citizens are so much the richer.

When I say that an excise is more favorable to the poor, than a poll-tax, or a land-tax, or any other tax on property, and that it tends to promote industry and wealth, I must constantly be supposed to mean an excise on luxuries, or imported goods: and I would also be understood to mean an excise that is impartially laid, and fairly collected. Our expectations on this head, are not sanguine; nor is the prospect very pleasing: for some of the laws that we have hitherto made for collecting duties, are shamefully defaced by the want of public spirit: they are full of ambiguities through which the knavish and the cunning may creep. In North Carolina, it was enacted, that a merchant importing goods by land to the value of five pounds, should pay duty for the same: but a planter might import goods to the value of twenty pounds, though he imported them for sale or merchandise, without paying any duty. The author of such a clause must have forgotten that he was bound to serve the public rather than himself, and that the revenues of the state are not to be sacrificed to the convenience of a few individuals.

The general advantage of a sumptuary law, or an excise upon imported goods, is so obvious, that I question whether any objections can be made to it, except the probability of frauds being committed in secreting the goods. Surely the ex-

pense of collecting any tax, cannot be an object, when the happiness and prosperity of a state are contrasted with discontent, poverty, and disgrace. If the expense of collecting the revenue should amount to ten per cent, no part of that money would be lost to the state: and the diligence of public officers might prove the means of enriching the country.

In all places, and at all times, it has been too common for merchants to endeavor to defraud the revenue by smuggling goods. The frequency of this offense seems at length to have altered men's ideas concerning the turpitude of perjury, or the baseness of stealing: and there are men who would steal from the nation, or defraud the revenue, yet would not on any account cheat a private citizen. Be this as it may, there are means by which smuggling may be prevented*; and when the people at large have discovered, that they must submit to poverty and to oppressive taxes, or must support the faithful execution of the revenue laws, they will presently admit, that it is both honorable and useful to set a mark upon the man who violates the laws of the state.

I have said, that an excise is more favourable to the poor than a land or poll-tax. I will venture an additional sentiment: there never was a government in which an excise could be of so much use as in the united states of America. In all other countries, taxes are considered as grievances: in the united states, an excise on foreign goods would not be a grievance: like medicine to a sick man, it would give us strength: it would close that wasteful drain by which our honour and our wealth are consumed. What though money was not wanted—though we did not owe a florin to any foreign nation—though we had no domestic debt—and though the expenses of civil government could be supported for many years without a tax—still it may be questioned, whether an excise would not be desirable. It would certainly be the best expedient for promoting domestic manufactures: and the condition in which we

* Every merchant or vender of goods may be required once in a month to settle his accounts, and pay up the public money or excises he has collected: though he sells on credit, he is to account for the excise. It may be required of every citizen, that he shall receive from the seller a bill of parcels for every article of foreign goods he may buy in the state or out of it. Once in every six months every freeman or head of a family should render an account to the revenue-officer for the county, of all the foreign goods he has purchased, by producing the bills, upon oath. And he should then pay the excise on all goods he may have bought out of the state. The several bills for goods purchased from particular merchants, when compared together, may prove a pretty sure mode of detecting frauds.

now live—our general dependence on a foreign country for arms and clothing—is dishonourable—it is extremely dangerous.

SYLVIVS.

LETTER VI

FURTHER REMARKS ON AN EXCISE—HARDSHIPS OF THE PREVIOUS SYSTEM OF TAXATION ON THE INHABITANTS OF THE WESTERN COUNTIES OF THE SEVERAL STATES—ALARMING CALCULATIONS OF THE RUINOUS CONSEQUENCIES OF EMPLOYING BRITISH VESSELS AS THE CARRIERS OF THE PRODUCE OF THIS COUNTRY.

To the Freemen Inhabitants of the United States—Friends and Fellow Citizens:

In all ages of the world, and in all governments in which the people have been oppressed, their chief complaints have arisen from the weight of their taxes, or other impositions of a similar tendency. Some tyrants there have been, whose cruelty has extended to life as well as property: but the common distinction between tyrants has been, that one of them has imposed more grievous taxes, or laid them on with less regard to the convenience or to the abilities of the subject. Hence it is, that governments are preferred, where the power of taxing is in the hands of the people: because it is presumed that they will impose such taxes as are most profitable, and most easily paid.

It may happen, nevertheless, that in a republican government the general system of taxing arising from prejudice or inattention, may not be of that kind which is most conducive to the ease or prosperity of the people. This I take to be the case in many of these states; and as the subject is extremely interesting, the reader will doubtless excuse me, though I detain him somewhat longer in considering the particular equity, as well as the general operation of an excise or impost, by which the whole of the national debt may be discharged. Part of our taxes must be paid in specie, and some of them may be paid in paper. The interest and principal of our foreign debt—the salaries of our ministers in foreign and home depart-

ments—and the pay of such troops as are necessarily employed in the service of the united states, must be discharged in hard money. We shall state the expenses of the federal government to be 400,000 dollars by the year; for we presume that great economy will be used, till we are able to pay our debts; and that we shall try to be just before we are generous. The states have not hitherto been called upon for anything more than interest on the foreign debt: but the principal of the French loan, as well as that from Holland, is to be paid off by instalments, and the first of those payments is to be made in the year 1787, from which time some part of the principal is to be paid off every year. Within twelve years the debt is to be reduced to a quarter of its present size: but, in the meanwhile, the payments of the principal and interest will amount to near one million of dollars by the year. This must be paid in specie, or in such payments as will command specie to that value: but there is a considerable debt which may possibly be discharged by paper. The annual tax that may be paid in this manner, is very uncertain: for though we should discover that some of the states have, by assuming a considerable part of the continental debt, and by other means, nearly paid their quota of the domestic debt, contracted by the united states, still it will follow, that the particular debts contracted by the states, must be paid. Certificates have been issued for the amount of those debts by one class of auditors or another: how is the certificate-debt of this state to be reduced? How is it to be discharged? These are difficult questions: they are beyond the powers of ordinary calculation: conjecture itself can hardly reach them. It has been alleged, that our certificate-debt bears some resemblance to that many-headed monster, which defied danger: whenever one of its heads was cut off, two other heads arose to support the loss. Debts of this kind cannot be reduced to the ordinary rules of finance.

We have seen that a tax is to be collected annually for the use of the federal treasury in specie, unless we are willing to forfeit our honour, and give up all pretensions to national character. Is it probable that we shall be able to raise half of this sum by all the various taxes on property? I think not. It is certain that the whole of our taxes for the present year,

after the civil list of the state is paid off, will not produce half the sum in specie required for the use of the federal treasury. Let the poll tax, or land-tax, be increased to three times the sum that is now demanded, and there would still be a deficiency: but the consequence would be great distress to the poorer class of citizens, and multitudes would be constrained to fly into the western territory; thousands would complain of the scarcity of money; more paper must be emitted; that paper would again depreciate, and the taxes must again be doubled. Thus we should for ever be climbing the hill, and for ever sinking to the bottom. But we have other objections to taxes on property—they are extremely unequal: they cannot be justified, except by necessity, and such necessity does not appear. Is it equal or just, that a citizen who lives near a thick settlement, or one who lives in the wilderness, should pay the same tax for his land, his slave, or any other property which he possesses, as a citizen pays who lives near the sea coast? The last mentioned takes his lumber, and everything that his farm produces, to a ready market; the other can get nothing for his lumber; corn itself is of no use to him when money is wanted, and there are few things his farm produces that will pay much more than the expense of carrying them to market. Those people complain at present—and their complaints are well founded—though our taxes are so small as hardly to deserve the name: what would they say, if the taxes were such as the honour and safety of the nation require?

Let us consider, on the other hand, the effects of a substantial tax on luxuries. As it would be an easy matter to raise the whole sum that is wanted both for the federal treasury and for our own civil list, by an excise on foreign goods, I conceive that all our taxes might be given up, except a small land-tax. Under such an administration of the public revenue, the whole of our paper money might be called in within the space of three or four years; for in that time the industrious citizen may have discharged his private debts; and as he will not be called on for the payment of taxes, there can be no honest reason for making more paper. The immediate and necessary consequence of such taxes will be the increase of domestic manufactures, and the general circulation of hard

money. Let us raise 1,000,000 dollars in the next year by imports and excise; the consequence will be, that in the following year we shall import less goods by at least the amount of 500,000 dollars, and thus we shall become £200,000 the richer—that is to say, we shall have paid off so much of our debt; or, being out of debt, we shall have laid up so much hard money; for whenever our exports exceed our imports, the balance returns in specie. If any man has doubts concerning the effects of large taxes on foreign manufactures, he should turn his eyes to the eastern states, and he will discover, that during the late war, sundry manufactures had there been carried to considerable perfection. We had not been six months in the enjoyment of peace, before those manufactures were all ruined. The mechanic is generally the first who perceives the effects of a pernicious commerce, for the support of his family depends on his daily labour. Hence it is, that the merchant may be profited by a particular branch of commerce, and may promote it diligently, while his country is sinking into a deadly consumption. It is the duty of the statesman, either to check or to promote the several streams of commerce by taxes or bounties, so as to render them profitable to the nation. Thus it happens in Massachusetts—A tax of twenty-five per cent, was lately imposed on nails, and the poor of Taunton were immediately restored to life and vigour. If our informer is correct, there are at least two hundred and fifty labourers employed in the manufacture of nails in that little town. The effects of sumptuary laws must be extremely favorable to the industrious citizen, who lives one or two hundred miles from any navigable water. In those parts the land in general is fertile, and provisions are cheap, for they cannot be sent to a foreign market—there it is that the manufactures of linen, woolen, and iron may flourish. The citizen near the coast may possibly indulge in the use of foreign luxuries, while he can get them in exchange for a piece of timber, or a bushel of corn: by such men our taxes must be paid. But the citizen, in the interior country, will attend to his manufactures, which may readily be transported to any part of the state: and within a few years, we may expect to see the most plentiful-circulation of specie in those remote settlements, which are now labouring

under the unequal burden of taxes. By such a system of finance, perfect justice will be rendered to every citizen; they will stand on equal ground: and no man will have reason to complain: for every man will fix the amount of his own taxes. They will be limited by his abilities, his caprice, or his prudence.

In every regulation of finance, we should have an eye to a vast unsettled country: fertile soil and happy climate invite the foot of the adventurous citizen. The inhabitants of that country, whenever they are formed into separate states, are bound by the present federal rule to pay their quota of the national debt, according to the value of their lands and improvements; or it may possibly be expected, in order to shun the impracticable estimation of property, that their quota shall be as the number of citizens. Is it to be expected, that men, who live at such distance from market, will, for many years, pay taxes to the amount? Surely it is not. Though they should promise, they will not be able to pay. For this reason, we should take care, that the operations of finance shall not banish any man into that country. Let the citizen have it in his power to live on the sea coast, equally secure as in the western countries, without risque of troublesome visits from the collectors of taxes. In course of time, manufactures must flourish in those settlements: and the citizen on the sea coast, who exports his produce, may find it his interest to buy goods that are made in the western countries. At such a time, we may expect that our brethren there shall, without difficulty, contribute their share to the support of government. In the meanwhile, little can be expected from them, except that they may consume a small portion of the foreign goods which pay tax when they are imported into some of the original states.

As our manufactures increase, our imports must decrease in proportion; and before the foreign debt is discharged, or before thirteen years have revolved, our annual importations may fall short of 200,000 dollars. In this case, certainly the revenue on consumption must be greatly diminished; but we are to recollect that many articles which grow in these states, must be in constant demand in other countries, and that our sale is very productive; whence our exports may be near half of what

they are at present, after our imports are reduced to a fourth or a fifth part of that sum. Such a change of circumstances must produce a balance of specie in our favour to the amount of 1,000,000 pounds every year; and though it did not produce half that sum, there would certainly be a large supply of specie in circulation: and the balance of our quota might easily be raised by sumptuary laws of another sort.

Such are the present advantages and future effects that may be expected to spring from large and general taxes on foreign goods. Let us contrast this with our present condition and system of finance. We have stated, in a former letter that by the consumption of British manufactures, to the amount of one million of dollars, we contribute at least 700,000 towards the revenues of that nation, while our own are perishing: but there are other misfortunes and other marks of servitude, to which we are subjected by our present arrangement, and the general use of British goods. In the several states, to the southward of the Delaware, it is agreed, that three-fourths of the produce are exported, and a similar share of the returns are made in British bottoms. It will be found that for exporting lumber, and bringing back the returns, at least one half of the property is paid to the carrier. Tobacco, our chief staple, is exported on better terms. Those who have shipped tobacco for London, have the satisfaction to find, that after all charges are paid, that is to say, freight, commissions, brokerage, and the variety of other expenses, real or imaginary, there are frequently remaining two-thirds of the value for which it was sold. In some cases, three-fourths of the value have been saved. The freight of the returns must be added, and we shall state the whole, though it is considerable below the mark, at 33 1-3 per cent. Some part of those goods are carried in American bottoms, by which something is saved to the country, under all the present burdens of that trade: for this reason, we shall state the average loss at thirty per cent. From this computation it appears, that when produce is shipped for London, in one of the southern states, to the value of one million dollars, the British merchant draws from that sum at least three hundred thousand dollars, under the name of freight and other contingencies: this money is for ever lost

to the country: and the remaining seven hundred thousand which are returned to us in dry goods, must have contributed to the revenues of Great Britain at least four hundred and ninety thousand dollars. We take them burdened with that expense. Surely, our present commerce is of the most extraordinary kind. Poverty is not the most humiliating circumstances by which it is attended: for under the name of freemen, we are little better than slaves—degraded by national bankruptcy—burdened by private debts—and constantly laboring in the soil for the benefit of another empire. When good and evil are before us, we prefer the latter. We have it in our power to promote manufactures—to bring thousands of industrious tradesmen from foreign countries—to discharge our debts—and to become respectable, rich, and powerful: instead of that, we are fluttering about in foreign dress, for which we cannot pay—we are aping the vices of other nations, while we neglect their virtues—without patriotism, and without pride, we are feeding other people, while our own nation is sinking under weakness and poverty. Thus we have seen an idle and thoughtless debauchee neglect the improvement of his farm, and spend his time and his estate in a tavern, supporting the family of another man, while his own family were perishing by cold and hunger.

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LETTER VII

STATEMENT OF THE LABOUR REQUISITE IN NORTH CAROLINA TO SUPPORT FAMILIES—COMPARATIVE VIEW OF SOME COUNTRIES IN EUROPE—HOWEVER DISTRESSING THE PRESENT SYSTEM OF BRITAIN IS, IT IS LIKELY TO BE ATTENDED WITH BENEFICIAL CONSEQUENCIES TO AMERICA.

To the Freemen Inhabitants of the United States—Friends and Fellow Citizens:

In these letters, I have endeavoured to explain the true cause of the present scarcity of money—the surest and best method of obtaining a sufficient supply of substantial coin—and the safest method of administering the public revenue, so as to prevent the poor from being oppressed, while money is scarce.

We are told by medical people, that in discovering the true cause of any disease, a considerable progress is made towards its cure. It might appear strange, that a fact so obnoxious as the true cause of the general scarcity of money should have escaped the notice of any person. But it must be remembered, that when troubles are occasioned by our own vices, we are generally dextrous at invasions, and ingenious at fictions: for if we confessed our fault, it would be expected that we should amend. Our farmers contend that the merchants are the cause of all our troubles: they export the specie, and make it scarce. The merchant will have it, that our commercial system is bad: his profits are too small, for which reason he cannot pay his debts, but all of them, who are in debt, are agreed, that it is hard living in this country. Strange positions. The farmer buys fineries: his family are idle: all the crop that he can sell, does not pay for half the goods he has bought: but he wants more fineries, and more rum. He can get no more credit: and he pulls out all the specie that lay in his chest. Is the merchant to be blamed, for shipping this specie, when the extravagance or indolence of the planter could furnish him with nothing else to ship?

As for the merchants, or people who are so called, their complaints are just as well founded as those of the planter. Thousands of adventurers from the British dominions have added to the thousands of our own citizens who are too lazy to plough, or labour at any other calling, and for this good reason are become merchants, or more properly traders. This tribe increases much faster than any other class of citizens; and this class we have to maintain, besides the misfortune of paying for their goods; but when any of those gentlemen find it inconvenient to pay their debts, they gravely complain of the scarcity of money, because our commercial system is bad. Certainly part of our system is bad; for by proper regulations, nine-tenths of those merchants that are here, might be exchanged for ten times the number of mechanics, who would render much more service to the public and themselves. The general charge of its being hard to live in America, has a worse foundation, if possible, than the other complaints. There is not, at this time, a civilized country on the face of the earth,

in which a poor man may live with so much ease as in the united states of America. The modes of living are various in the different states: I shall take an example from a southern state, namely, North Carolina.

The necessities of life are food and clothing. Three-fourths of the labor of the human specie are, doubtless, employed in procuring food. In the most luxurious countries, where the greatest number of unnecessary things are used, more than half of the labouring inhabitants are employed in agriculture. It is observed, that in England, the very nursery of manufactures, the farmers are to the mechanics as four to three: the difference is greater in France and Germany: but many people are to be fed in those countries, who are neither farmers nor mechanics. Let us suppose that half the subjects employed in farming would raise provisions sufficient for the whole nation, and for their cattle; for that the labour of one family in the field is sufficient to maintain two. The produce of our labour is greater, and the labour we employ is less. Every man who has visited foreign countries, knows with what diligence farmers and mechanics are obliged to labour though the year. In the winter, their work begins before day: and in summer, it continues through the day. They have little respite, or time for spending money. If one of them is accosted, he seldom stops to answer the question—his work must go on. This is not the case in North Carolina: nor have we any example of what other people call industry. If my calculations are right, and some of them are annexed,* the citizens of this

* When the land is good, a labourer, by the help of an indifferent horse, hardly worth twenty dollars, may raise seven hundred and fifty bushels of corn in the season. He may tend two thousand five hundred hills, which will produce six barrels to the thousand. In ordinary land, he may raise two hundred and fifty bushels. We may take four hundred bushels for an average, instead of five hundred. Two labourers, when there are two in the family, may raise near twice the quantity: and one good horse is sufficient for both. This corn is planted in May; and the care of it is finished in July, except that it is pulled in November. One quart of corn by the day is sufficient to make bread for a grown person. There are countries in which the same quantity of wheat or rye is the whole daily allowance of a soldier: and if we lived as three-fourths of the inhabitants of other countries are obliged to live, this would be the end of our calculation: but one pound of pork or beef is the daily attendant on our bread, else we complain of hard fare. Our farmers plant pease among the corn; and each labourer may count on the addition of fifty bushels of pease to his crop, with very little trouble. The planter, his wife, and three children, may be supposed to eat fifty bushels of corn in the year: fifty bushels more may be reserved for the occasional use of his horse and his hogs. This is sufficient, when we consider, that hogs not only support but frequently fatten themselves in the woods. The assistance of pease and potatoes is employed when necessary. The remaining three-fourths of the planter's crop of corn may be sold, and employed as prudence or folly may dictate.

If any man shall cast his eye on this note, who is not acquainted with the state of farming in the lower districts of North Carolina, he might wonder that no

state may live with half the labour that would be requisite to support them in France, England, or Germany: for the labour of one family in this state is sufficient to raise food for the support of four families. Is the man candid or honest—is he not ungrateful to heaven, who complains of such a country, or says, that his troubles are occasioned by the necessary difficulty of living—by the difficulty of paying taxes—or of providing food and raiment—or by any other cause than by his own vices—his idleness, and dissipation.

Our present commercial system, if we have anything that deserves that name, is certainly a bad one: but reason may teach us to be moderate in our complaints. If the English ministry had not cut off all intercourse with their West Indies, and distressed our direct intercourse with Britain and Ireland, we should have continued a good while longer to take her manufactures, and to pay for them. By these means, her mechanics would have thriven: and we would have been insensibly settling down into inveterate and ruinous habits. Diseases which are slowly contracted, are said to be hard to remove. The measures of Great Britain have in a short space prevented us from being able to pay our debts: and they have at the same time prevented us from feeding her own subjects. They have happily checked our folly, at a time when all are capable of

allowance was made for the trouble of raising hay, oats, and such other provisions as are usually made for horses, sheep, and black cattle. Such a reader may be informed, that the blade or fodder of Indian corn is all the provision for this purpose that is commonly made use of by the farmers; for the reeds which grow every where, and are green through the winter, serve as food for cattle. Perhaps it may be noted, that the computation is made for a farmer who has land of his own, and that no allowance has been made for the payment of taxes, nor for rents which are to be paid by the miserable tenants. To this it may be replied, that the present land tax is five shillings for the hundred acres: and poll-tax is fifteen shillings; such debts are soon discharged by an industrious man in a country like this, where the Spanish dollar being eight shillings, a pair of shoes is sold at 16s. to 20s. The day's labour of the carpenter or mason, brings him from eight to twelve shillings clear of his provisions, and corn is sold at three or four shillings the bushel. As for the rents, by which the tenants are frequently grieved, no account is to be made of them in a state like this, where nineteen farmers out of twenty cultivate their own land. Though there are few citizens who suffer under the hands of a landlord, there are many who suffer by the indolence of living on poor and piney land. Like the sloth, they are too lazy to gather food, though they see where it is plenty. Such people hardly claim our pity. Every one of them knows that on the other side of their mountains, on the western waters in this state, he may buy lands in great or in small quantities, at twenty-five dollars for the hundred acres—lands of such a quality, as will produce 50 or 60 bushels of corn to the acre. Complaints are not grievous that can be so easily removed.

According to this calculation, the farmer has been employed three months in raising his corn, and he has raised in that space four times as much as was required for the use of his family. He raised in the same season, at the usual intervals, flax, cotton, potatoes, pease, and sundry other necessary or useful articles. How is he to be exercised on the rest of the year? Some weeks must be employed in saving his fodder, corn, potatoes, &c., and some weeks in repairing his fences; but a great portion of his time lies vacant, and is usually employed in quarter-races, cock fights, sauntering in stores and taverns, drinking rum, and spending the residue of his crop. The calculation has been made for the planter

amendment, for we have not altogether forgotten the little we knew of the mechanic arts, nor the few habits of industry that we had formerly acquired. In a few years, we may be reduced to a new system, by which we shall be more wealthy and less dependent.

Perhaps I deceive myself—but I think that I love my country, and that no man living is more desirous to serve it—yet I am not grieved—on the contrary I view it as a fortunate event—that our commercial hopes have been disappointed, and a check given to the baneful spirit of luxury and the general use of British goods that was prevailing—Perhaps the time is not very distant, when we shall be a frugal and virtuous nation. We are not to thank Great Britain for the favor she has done us, for she did not intend those commercial restrictions for our good. Let her continue to exclude us from her West Indies, and, contrary to good faith, to withhold the western posts. The less we gain by commerce, the fewer of her manufactures we shall buy, and the sooner we shall make our own clothing. A nation less wise might have discovered long since, that liberal conduct is most profitable: but she refuses to be reformed.

The commercial history of the united states is short. At

labouring the field, who maintains three children, incapable of work; but in general half the children of every family are capable of work; hence the surplussage of provisions by the labour of two hands will be greater. There they have a planter labouring the field, hardly six months in the year, who in that space raises four times the food that is required for the support of his family and cattle. In other countries, the farmer, by constant labour through the year, can hardly raise twice the quantity that is required for the same purpose. Is it not pretty clear that provisions, the chief necessary of life, are raised in this state with less than half the labour that is required in France, England, or Germany? In the articles of clothing, the difference of labour that may be required is not so great: but the difference is still in our favour. Our winters being temperate, the inhabitants require less clothing, and the raw materials are procured with more ease, or with less expense, than in the other countries that have been mentioned. Flax grows to great perfection; and the land on which it is sown, is cheap, and easily cultivated. Cotton is raised with very little trouble: and though the wolf continues to prowl in some neighborhoods, yet as sheep thrive well in this climate, and require very little feeding, we cannot say that wool ought to be dear. Skins, which are also used in clothing, ought to be cheap in a country where black cattle maintain themselves through the winter; and where a man may kill a deer when he pleases for his breakfast. Surely the scarcity of clothing in this settlement cannot arise from the difficulty of obtaining raw materials. There is difficulty remaining—the raw materials must be made up, and the people are too lazy to work. Nothing has been said concerning house-rent or fuel. For in a country where a common labourer may in a fortnight build such a house, out of timber, as is frequently used, and in a country where timber, the constant fuel, is frequently cut down, that it may be destroyed, very little can be charged to the account of house-rent or fuel, considerable articles in many other places. If it should be asked, how is the industrious farmer in this country to spend the balance of his time? Every citizen knows, that he may be profitably employed in making tar, pitch, shingles, staves, boards, or some other species of lumber, which come to a ready market. By such means, and by the sale of his pork, or his corn, or other grain, every industrious and frugal planter may, in a few years, double his stock. This cannot be said of farmers in other countries.

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the end of the war, our merchants, forsaking the trade of other nations by whom we have been well treated, rushed into the arms of Great Britain with a spirit that was not honourable, and with a haste that was not profitable.—They did not wait for terms.—They have suffered as they deserved.—Our shipping has been oppressed.—We have seen a vessel from these states to London, laden with naval stores, bring back, as the whole produce of her cargo, five pounds worth of chalk. The balance of her cargo was absorbed in charges. In consequence of such treatment our merchants are become bankrupts a little the sooner.—The want of payment at home, and the want of profits abroad have effectually disabled them.

The history of our planters is rather more simple. Discarding their wheels and looms, they used nothing but what was British. They bought more foreign goods in one year, than they could pay for in two. Their produce is gone, and their specie is chiefly gone, but they are still in debt. Let us be more frugal, and more industrious—let us buy no more, till we pay our debts. Such are the dictates of honesty and patriotism. Is not this plan of paying our debts preferable to the expedient of making paper money—an expedient that substitutes a shadow for a substance? It converts government, which was instituted for the protection of property, into an engine, for its destruction. After all, it is the poor expedient of a day, which promises relief that it cannot give. The whole process is such contemptible quackery, that while we are swallowing the potion, the disease increases. It is vain to prophecy—but if the time shall ever come, when the united states are to give up part of their liberty, as men frequently have done for the greater security of property, the rage of defrauding creditors, by making paper money a legal tender, is likely to produce the dishonourable change. If it is true, that men have not virtue enough to bear a government that is perfectly free, the proof is like to come from this quarter. If there were a state in this union, in which it was treason to attempt the making of paper, such a state would become the asylum of honesty, arts and industry; and if any of the new states in the western country shall happily provide this guard, as part of her constitution, that state will certainly flourish with singular speed:

it will give a new proof that men are most happy when their property is safe, and that all men approve of virtue, whatever may be their practice.

The reader is fully possessed of the plan that was proposed in the first of these letters, for giving relief under the present scarcity of money. The relief given by paper money is neither durable nor honest. Nothing but frugality and industry can bring us substantial relief; but the operations of industry, and the progress of manufactures, are slow. Specie, which is banished, cannot immediately return; and the poor man, in the meanwhile, may be distressed for money to pay his taxes. In order to obviate this misfortune, it is proposed that the expence of government be paid by an excise on all foreign manufactures, or by sumptuary taxes, which are equally intended to promote domestic manufactures, and to give immediate relief to every industrious family. By a steady perseverance in this plan, the poor would be relieved from the burden of their taxes—our citizens would be enabled to discharge their debts—we should increase daily in wealth—our country would be the resort of ingenious artists. Public and private credit would revive—and we should become truly independent.

SYLVIVS.

The Manhood Suffrage Movement in North Carolina

BY JOHN W. CARR, JR.

The suffrage qualification which was brushed aside by the constitutional amendment ratified by the people in 1857 had endured, in principle at least, since the earliest colonial times. The idea of a suffrage qualification was brought in under the Lords Proprietors in the Fundamental Constitutions. The proprietary government was established on the idea that land is the most important form of wealth and that land holders should have especial political power. When North Carolina became a royal colony these ideas continued in vogue. We cannot determine the exact nature of the suffrage requirement under the royal control, but it is known that the king's government began with the principle of a free-hold qualification; and this appears to have been kept during the larger part, if not all, of this period.¹ The lower house in colonial times claimed the right to regulate the suffrage requirement; but the records would indicate that the assembly, while it passed certain acts defining the qualifications of voters, did so for the most part according to the instructions of the crown, which insisted upon a freehold qualification.² So it happened that the land-holding classes controlled political affairs at the time of the constitutional convention of 1776, and so framed this constitution as to keep the political power in the hands of the few.

In the third Provincial Congress, which met in April, 1776, a majority of the constitutional committee was in favor of manhood suffrage, but a motion to incorporate this right in the constitution was defeated by the freeholders who controlled the Congress. In the campaign which followed the question of equal suffrage was an important issue, but the land-holders triumphed.³ Thus the constitution of 1776, although it stated in its preamble that political power is in the hands of the people, allowed only such men as held consider-

¹ Colonial Records, III-93, 467; V-11, 137-42; VII-512-16.

² Raper—North Carolina, A Study in English Colonial Government, p. 88.

³ Boyd—Antecedents of the Convention of 1835 (*The South Atlantic Quarterly*, Vol. IX, p. 86). Also, Wagstaff—State Rights and Political Parties in North Carolina, *passim*; Colonial Records, X, pp. 164-220.

able property to hold office. The property requirement for the governor was land to the value of £1000. A senator had to own three hundred acres of land, and a representative one hundred acres in order to hold his seat. The property holders, not content with this, provided further that only fifty-acre freeholders could vote for a member of the State Senate.⁴ Tax paying, however, was the only requirement in order to vote for a member of the House of Commons.⁵

It required about seventy years to remove this fifty-acre requirement for senatorial suffrage from the constitution of North Carolina. The reasons for this slowness are: First, the natural conservatism of the people of North Carolina; Second, the economic conditions in the west, where most of the inhabitants were small Scotch-Irish farmers owning, as a rule, the required fifty acres of cheap mountain land. Thus these people were not deprived of the vote, and a condition bordering on democracy prevailed. The injustice of the suffrage qualification was not acutely felt until the country became fairly populous and land rather hard to obtain. Third, the intricate methods of revising the constitution provided in the amendments of 1835 checked the cause of suffrage reform.

Previous to the convention of 1835 there was no agitation concerning free suffrage, for the second reason stated above. So this convention left the matter of free-hold qualification unchanged, but it did enact the two methods of amending the constitution that long delayed the passage of the free suffrage amendment. Two methods of changing the fundamental law were provided in the revised constitution of 1835: first, the legislature could amend by endorsing the proposed amendment for two successive sessions. The measure must first pass both houses by a three-fifths majority of the total representation; then it must be published at least six months previous to the next General Assembly. The amendment must be endorsed by the representatives selected in this election with a two-thirds vote in both houses. A bill thus passed by two legislatures in succession must be finally ratified by the voters at the polls before it became a part of the constitution.⁶ The second

⁴ The Constitution of 1776. Articles 1, 5, 6, and 7.

⁵ *Ibid.*

⁶ Constitution of 1835, Article 4.

method of amendment was by a constitutional convention. Such a convention could be called by a vote of two-thirds of the General Assembly, which also had the right to provide the method of apportionment of members.⁷ Some claimed that the legislature had the power to limit the activity of such a convention to the consideration of a few specified subjects; others did not admit this, claiming that a sovereign convention of the people could not be limited by legislative enactment. The constitution itself was silent concerning the power of limitation, and this was a much mooted question.⁸

The question of property qualification for suffrage was not brought up in the convention of 1835, but it arose soon afterwards.⁹ In 1842 a mass meeting held in Kinston protested against the free-hold requirement. As a consequence of this protest, Green W. Caldwell brought the matter before the legislature where it met with a cold reception.¹⁰ The matter was not agitated again until 1848, when David S. Reid injected free suffrage into the governor's campaign of that year.

Previous to the year 1848, the Whigs had controlled the political affairs of the state for about twelve years. The Democratic party was weak, and it was difficult to get a strong leader to run for governor, for defeat seemed certain. Manly, the Whig governor, had served one term and was running for re-election. He was a brilliant speaker, and had served successfully two years as governor. The chances against the Democratic candidate were overwhelming. David S. Reid was nominated as a forlorn hope by a unanimous vote of the Democratic convention, and was urged to accept in letters written by W. W. Holden and Robert P. Dick, both prominent leaders of the party.¹¹ A committee was also appointed to notify him of his nomination and to request his acceptance. He replied, declining the nomination. W. W. Holden, then editor of the *North Carolina Standard*, was on the point of publishing Reid's refusal to accept the nomination, but John

⁷ *Ibid.*

⁸ Legislative Documents of North Carolina—1850-51, House of Commons, December 18, 1850.

⁹ Bassett—Suffrage in North Carolina (American Historical Association, 1895-6, p. 81.)

¹⁰ *Raleigh Register*, June 22, 1842.

¹¹ MSS. Correspondence of Governor Reid; letters dated April 10 and April 19, 1848.

Julius Wheedon, an ardent Democratic partisan, persuaded Holden to wait a week before publishing Reid's letter of rejection.¹² The editor consulted his friends, and it was decided to send a message to Colonel Reid, and to urge him in earnest terms to accept the nomination. He was asked to come to Raleigh at once, prepared to enter on the campaign against Governor Manly. He was finally persuaded to accept the nomination. The platform on which Reid was nominated contained no allusion to manhood suffrage, but on accepting the nomination he said to some of his friends, "Gentlemen, this nomination was not sought by me, and it has been my purpose for a long time if I should be a candidate for a state office before the people, to broach one issue, which I deem very important. What I mean is that the state constitution shall be so amended that all voters for a member of the House of Commons shall be allowed to vote for Senators."¹³

Some of those present at this statement favored the idea but others opposed it. Colonel Reid decided for himself, and at Beaufort in the first joint discussion of the campaign he took ground in favor of manhood suffrage. Mr. Manly asked to be allowed one day to think over this issue, and at Newbern he stated that he was opposed to any changes in the qualifications for voters.¹⁴ Thus the introduction of this issue into the political arena of the state was the personal act of Colonel Reid, he not being supported by the platform of his party. The decision of the Whig candidate to oppose manhood suffrage had much to do with the later failure of his party in North Carolina.¹⁵

Throughout the campaign of 1848 Mr. Manly, the Whig nominee, maintained his position of opposition to the free suffrage issue. He claimed that the qualifications should be kept as a protection to property, and that the abolition of the fifty-acre free-hold requirement would destroy the symmetry of the constitution by giving both houses of the legislature the same constituency. He designated free suffrage as political claptrap, and a hobby advocated by an office-hungry party. He

¹² MSS. Correspondence of D. S. Reid: Holden to Reid, December 22nd, 1880.

¹³ Memoirs of W. W. Holden (John Lawson Monographs, Vol. II), p. 5.

¹⁴ *Ibid.*

¹⁵ *Ibid.*

attempted to show that it was only a half-remedy. He pointed to the property qualification for holding office and to the basis of representation, and asked the Democrats why they did not propose to change them also. He maintained that as long as representation was apportioned in the Senate according to taxation and in the House according to federal population, there could be no equality of the ballot. The county having the most property was given under the existing basis a larger representation than the larger, more populous, but poorer counties; hence the few voters of a rich county had more power over the government than the many voters in a poor county. Manly claimed that any talk of equal suffrage was mere humbug as long as the basis remained unchanged. But the Whig candidate did not directly favor changes in the basis or property qualifications. He held that there was no demand for reform and that, if there was, it should be brought about by a non-partisan movement; such a method of amendment he claimed would remove the constitution from the dirt and grime of party politics.¹⁶

In this campaign Mr. Manly was elected by a majority of 864 votes, but the power of the manhood suffrage issue is shown by the fact that the Whig majority in the previous campaign had been 7,759.¹⁷

The campaign of 1848 was significant because it determined the position of the two political parties on the issue of equal suffrage, and started a contest that ended in the complete triumph of the Democrats over the Whigs. Henceforth the Democrats stood clearly for the one issue of manhood suffrage by legislative enactment; the Whigs were at first opposed to it, but upon realizing the great popularity of the issue with the voters, tried to hinder and complicate it with various side issues. The Whigs could not well admit the importance of an issue which they had at first opposed, calling it agrarianism, bunco, and a hobby; nor could they continue to oppose it on account of its popularity with the voters. Such a critical position necessitated a dilly-dallying policy, which caused the ruin of the party. Henceforth the Democratic

¹⁶ *Raleigh Register*, February 26, 1848; May 27, 1848; June 1, 1848; July 12, 1848.

¹⁷ *Memoirs of W. W. Holden*, pp. 1-6.

party carried the state by large majorities, but was for some time unsuccessful in its attempts to pass the free suffrage amendment.

During the legislative session of 1848-9 a bill providing for equal suffrage was brought into the House of Commons by Mr. Sheek of Surry County.¹⁸ It finally passed the House of Commons by a vote of 75 to 26, this being something over the constitutional majority of three-fifths. A bill introduced by Mr. Rayner, a Whig, to call a convention for the amendment of the constitution was rejected.¹⁹ Such a proposition at this early stage of the fight for free-suffrage was significant because certain opponents of free suffrage afterwards favored the convention method of amendment rather than the legislative scheme. On January 23, 1849, the Sheek bill was rejected in the Senate, not having received the necessary three-fifths majority in that body.²⁰ The party alignment on this vote is interesting because it shows that both parties were divided on this issue in the Senate, which was pre-eminently the stronghold of the land-holding interest, Senators being elected only by fifty-acre free-holders. Nineteen Democrats and six Whigs voted for the free suffrage bill; while thirteen Whigs and six Democrats voted against it.²¹

In the campaign of 1850 the slogan of the Democrats was "Equal suffrage, or the right of every white man in the state who pays his taxes to vote for members of both branches of the legislature." Reid was not at all anxious to make another trial for the governorship and asked that his name be not proposed before the Democratic convention; but party leaders, realizing the popularity of the author of free suffrage, obtained for him the unanimous choice of the convention. He was thus persuaded to make another campaign.²² The Whigs nominated Manly for re-election. The position of the two parties on the free suffrage issue was practically the same as in the previous campaign. The Democrats favored amendment by legislative action; the Whigs either opposed, calling the movement a humbug, a hobby for office seekers, or agrarianism, or

¹⁸ *North Carolina Standard*, January 3, 1849.

¹⁹ *Ibid.*, January 17, 1849.

²⁰ *Ibid.*, January 31, 1849.

²¹ *Ibid.*

²² Reid MSS., Letter May 25, 1850.

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²⁴ *Ibid.*, November 23, 1850; *Raleigh Register*, November 23, 1850.

²⁴ *Ibid.*, November 23, 1850; *Raleigh Register*, November 23, 1850.

²² Revised Constitution of 1835. Article I, section 1.

determinant of a senatorial district. Several counties paying in the aggregate the required one-fiftieth of the state taxes were grouped into one district and allowed to elect one senator.²⁶ In some cases it happened that one small but wealthy county had the right to elect a senator, while three or four large and populous counties would be grouped into one district and have the right to only one senator.²⁷ There was little objection in the west to the apportionment in the Commons according to federal number, even though this method did favor the east where there was a greater number of slaves than in the west. The taxation basis in the Senate, however, was disadvantageous to the west because this section was poor and paid little in taxes. The inequality is shown by the fact that in 1851 one district in the west contained thirty thousand white inhabitants and was allowed only one senator, while an eastern district with 4,400 white inhabitants had the same representation in the Senate.²⁸ The question of constitutional reform being discussed, the west considered it a good time to try to get rid of the unjust taxation basis in the Senate and to substitute apportionment of members according to white population. The white basis, as this scheme was called, would give to the west a majority in the Senate and enable this section to carry out the progressive policy of internal improvement which it favored. The politicians of this section realized that free suffrage was a popular issue and that there was a possibility of calling a convention to consider it. In the convention thus called they hoped to amend the constitution so as to obtain the white basis in the Senate. Most of this movement for a convention to change the basis came from the Whigs of the west, and the western men of both parties in the legislature of 1850-51 were opposed to manhood suffrage by legislative action, and in favor of a convention to revise the constitution. The western politicians called their movement for the white basis of representation "Equal suffrage," while naming the movement for extension of the franchise "Free suffrage."²⁹

²⁶ Constitution of 1835. Article I, section 1.

²⁷ Speech by David Caldwell (the Constitution of North Carolina, pamphlet of 1851).

²⁸ *Ibid.*

²⁹ *Ibid.*, p. 40.

The east favored manhood suffrage, altho there was some opposition from the Whigs of that section. All of the east, however, was firm in its opposition to any changes in the basis of representation because the existing basis—taxation in the Senate and federal population in the House—was favorable in every respect to the east. This section of the state paid more taxes because of its great wealth in slaves and lands; hence it had a majority in the Senate despite the fact that it was inferior to the west in respect to white population. In the House of Commons the east was favored by the existing basis because of its great number of slaves. Three-fifths of these were counted in apportioning representation in the lower house. So the east had the political power in its hand, and was anxious to keep it because it was argued that if the west were allowed the majority in the legislature the property of the east would be taxed to carry out the internal improvement policy so much desired in the west. Hence, the east believed that the existing basis gave only a fair representation to property. It was strongly opposed to any convention that would change the existing compromises of the constitution and place the political power in the hands of the west. So sectionalism complicated the issue of free suffrage and long prevented its passage. The pro-conventionist felt that if manhood suffrage was granted by the legislature there would be no more hope of obtaining a convention to change the basis. In the legislature of 1850-51, the Whigs of the west and some Democrats from that section voted against the free suffrage bill and in favor of a constitutional convention.⁸⁰ Several of the western Democrats voted in favor of amendments to the free suffrage bill providing for a convention, but on the final reading registered their votes for free suffrage when they saw that there was no chances to get a convention.

The Democratic party as a whole quickly opposed the proposal of the westerners to make a change in the basis. In his inaugural address of 1851 Governor Reid declared that a large majority of the people favored free suffrage and that it should be given to them by legislative enactment. He opposed any change in the method of apportioning representa-

⁸⁰ Constitution of North Carolina (pamphlet), pp. 56, 59, 61, 63, 64.

tion. At this time the Democratic party of the South considered itself the peculiar protector of the institution of slavery and of southern rights. It was, therefore, fitting that Democrats should stand against any attempt to abolish the representation allowed by the federal basis to slaves in the House of Commons. Governor Reid held that slaves should be represented as persons as well as property and that any agitation of the slave question within the State was inexpedient at a time when the North was active in its attacks on southern institutions. Thus the Democratic party, because of its national policy of radical protection of slavery, was able to assume a firm attitude of opposition to a change of the basis or a convention that might change it. The party favored manhood suffrage by legislative enactment alone.

The Whig party, for several reasons, was not able to take as definite a stand on these questions as was the Democratic. In the first place, the national Whig party was conservative in its attitude toward slavery and southern rights. The willingness of southern Whigs to compromise with the North on the question of slavery extension laid them open to a charge of unsoundness by the Democrats. Hence it was necessary that the Whig party in North Carolina, if it was to keep the confidence of the slave-holders, should declare positively its opposition to any change of the basis that would lessen the control of slave owners over the state government. But the composition of the Whig party in the state prevented it from assuming such a positive attitude. Unlike the Whig party in the lower south, the Whig strength in North Carolina was mainly in the western counties.³¹ Here there lived the small farmer who owned few if any slaves and little land. This very important element of the Whig party naturally favored a white basis of representation. The Whig party of the state, then, was in a dilemma. If it favored the white basis it would lose the support of the eastern slave-holding wing; if it did not favor a change in the basis there was danger of a revolt of the western small land-holders. In such a quandary the Whigs compromised by favoring a convention to amend the constitution, neither favor-

³¹ See Cole, *Whig Party in the South*; also Wagstaff, *State Rights and Political Parties in North Carolina*.

ing nor opposing directly a change in basis. Like all compromises this one was unsatisfactory to both sides and lost support for the Whigs. However, the party devised a strong argument in favor of amendment by convention. It held that free suffrage by legislative enactment had been brought forth as a hobby by a party of office seekers; that the Democrats were not as anxious to establish free suffrage as they were to gain political power; as soon as free suffrage was granted by the legislature the Democrats would, for party purposes, use some such needed reform as the abolition of the office holding qualification or the election of Justices of the Peace by the people as a hobby on which to ride again into office. "Why not raise the constitution above partisan politics?" asked the Whigs. "Why not call a non-partisan convention that would grant all needed reforms, preserve the symmetry of the constitution, and prevent office-hungry politicians from riding into office on constitutional hobbies?"⁸²

The entrance of the sectional issue into the question of free suffrage helped the Democratic party and injured the Whigs. The former party was able to hold its eastern strength through opposition to change of the basis and to conciliate its western members by offering them free suffrage by legislative enactment. The Whigs, being forced to assume an ambiguous, defensive attitude, lost the support of both sections to some extent. The advantageous position chosen by the Democrats, and the disadvantageous one forced upon the Whigs by the sectional issue, determined the future history of political parties in the state; henceforth the Democrats waxed stronger, and the Whigs became weaker.

It was soon evident that the majority of the members of the legislature of 1850-51 was in favor of abolishing the freehold requirement for voting for a senator, but there was disagreement as to the method of accomplishing this desired end. There was some movement to place the issue above party lines, but the Democrats had a good thing and knew how to push it; besides, where party lines were broken sectionalism came into play. In the House of Commons, the committee on amendments to the constitution consisted of McClean, Ruffin,

⁸² *Raleigh Register*, January 2, 1850; February 1, 1851; March 15, 1851.

Stevenson, Foster of Davidson, and Blow. It represented both parties; all members except Foster were in favor of amendment by legislative action.³³ All bills introduced in the House on the subject of constitutional reform were referred to this committee. The first bill introduced was by R. G. A. Love, of Haywood. It provided for the holding of an election for the selection of delegates to an unlimited convention. Fleming, of Yancey, brought in a resolution instructing the committee to inquire as to the advisability of holding a preliminary election to see if the people favored a change in the constitution and report by bill or otherwise. This resolution was adopted after considerable debate, in which most of the speakers urged that the matter of constitutional change be placed above party lines.³⁴ Early in December Fleming of Yancey introduced a bill to submit to the people the question of convention or no convention. A lengthy discussion ensued as to whether or not this bill should be referred to the committee. Some members were suspicious of the fairness of the committee on constitutional amendment, because it was known that the majority of it was in favor of amendment by the legislature. The bill was finally referred to the committee. The Love bill, which had been tabled, was also referred to the committee after considerable debate.³⁵

In all, three different propositions were submitted to the committee: one was to amend the constitution by action of the legislature; another, to hold an election to ascertain whether or not the people desired a convention; the third was to call a convention if approved by a two-thirds vote of the legislature. A report was made favoring manhood suffrage by legislative enactment, and a bill providing for this was introduced by the committee in its majority report. Mr. Foster made a minority report setting forth various reasons for calling a convention. Among these were: first, the people of North Carolina had never had opportunity to frame their own constitution; second, all political power is in the hands of the people; third, a thorough revisal in respects other than suffrage was desirable.³⁶

Soon after having submitted this report, Mr. Foster made

³³ *North Carolina Standard*, November 27, 1850.

³⁴ *Ibid.*, November 23, 1850.

³⁵ *Ibid.*, December 7, 1850.

³⁶ Constitution of North Carolina (pamphlet), 1851, pp. 47, 48.

a speech before the House in favor of holding an election to find whether or not the people desired a convention. He argued that the people had never been permitted to live under a constitution of their own making and would never be satisfied until they were allowed to do so. He also claimed, strange to say, that amendment by convention was cheaper than by legislative means.³⁷ He said that he had concluded that the people desired a change and that he favored a convention to bring it about. He proposed a bill submitting the question of convention or no convention to the people and by such an election wished to remove the doubts of some as to the desire of the people for constitutional reform. He was answered by Mr. Avery of Burke, a Democrat, who spoke in favor of amendment by legislative enactment. Mr. Walton, Mr. Avery's Whig colleague, favored a convention which would bring about a change in the basis of representation. He thus unintentionally revealed the desire of a large number of the Whigs to use the free suffrage movement as a means of obtaining a convention in which they hoped to change the basis. On December 23 Mr. Caldwell, of Guilford, made an eloquent speech setting forth the position of the western Whigs. He pointed out the existing unfairness in representation between the sections, showed the injustice of apportionment based on taxation, and favored an unlimited convention. He argued that free suffrage would be a humbug if the basis of representation was not changed and urged that the convention be called to make this and other changes in the constitution. He ended by denouncing the manhood suffrage movement as a hobby used by adroit politicians as a method of obtaining office.³⁸

Discussion in the House of Commons continued on into 1851. Mr. Saunders of Wake further complicated the discussion by favoring a change in the basis for the Senate, but he proposed the federal population basis of representation, i. e., apportionment of Senators according to population arrived at by counting all white people and three-fifths of all the negroes. This, of course, would have been somewhat favorable to the east where slaves were more plentiful than in the west.³⁹

³⁷ *North Carolina Standard*, December 13, 1850, and *Raleigh Register*, December 15, 1850.

³⁸ Speech of David Caldwell (pamphlet).

³⁹ *North Carolina Standard*, January 11, 1851.

The regular committee bill embodying the Democratic idea of amendment by legislative enactment came up for vote in the House on December 31, and many attempts were made to incorporate amendments embodying the ideas pointed out above. The vote on these amendments was always for rejection and very nearly according to party lines, three Democrats and five Whigs voting different from the main body of their party. The bill was finally passed on the second reading by a vote of 89 to 24, many Whigs voting with the Democrats for the bill.⁴⁰ The measure came up for its third reading early in the new year, and its opponents tried again to put through amendments but again failed. The bill was rejected on this reading by a vote of 69 to 41, this being four less than the required constitutional majority of three-fifths. A reconsideration was moved, and there was much discussion as to whether it would require a three-fifths or a majority vote to reconsider. Sixty voted for reconsideration, and the chair held that this was sufficient.⁴¹ On January 14, 1851, the bill, being reconsidered, passed its third reading by a vote of 75 to 36, the constitutional year being 72.⁴² At this time an amendment proposed by Erwin to give a white basis of representation in the Senate was defeated by an overwhelming vote. It is evident that many Whigs desired free suffrage and voted for it when they saw that there was no hope of obtaining a convention.

The bill which had passed the House was sent up to the Senate where there had already been some preliminary discussion. Here Woodfin, of Buncombe county, was leader of the westerners who were in favor of an open convention and the white basis. The amendments setting forth various ideas—such as other constitutional changes, unlimited convention, change of basis, and election for ascertaining the will of the people—were proposed and rejected by close majorities. The advocates of manhood suffrage were determined to incorporate in the perfected measure the one issue: a free suffrage amendment by legislative enactment. The bill was rejected on its

⁴⁰ Constitution of North Carolina (pamphlet), pp. 64-67.

⁴¹ *North Carolina Standard*, January 15, 1851.

⁴² *Ibid.*, January 18, 1851.

first reading by the vote of 29 *pro* and 20 *con*, the majority not being the required three-fifths. On January 22 a motion to reconsider was carried, and an amendment to the bill abolishing the property qualification of a Senator was rejected by a large majority. The bill was then passed by a vote of 32 to 16 on its second reading.⁴³ The passage of the bill was made possible because several members of the Senate from the east, realizing that western Whigs were voting against manhood suffrage so as to save the issue as a reason for calling a convention, decided to accept the lesser of what they considered two evils and changed their votes in favor of the free suffrage amendment.⁴² In this the eastern senators were also influenced by a sharp political move on the part of the Democrats of the House. A bill calling a convention was taken up by the Democrats in the House and rushed through two readings. They figured correctly that this would frighten the members of the Senate into passing the free suffrage amendment. The Senate was controlled by land-holders and slave-holders; hence its members opposed a convention for fear that it would change the basis.⁴³ On the 23rd of January the free suffrage amendment bill came up on its third reading in the Senate. Mr. Joyner spoke in opposition several hours, he being one of the few men who dared to oppose any and every form of free suffrage. He made a typical land-owner's speech. An amendment providing that the bill should not be construed so as to allow free negroes to vote passed unanimously. The bill then passed its third reading by a vote of 33 to 16. The House quickly agreed to amendments, and the bill was ordered to be engrossed.⁴⁴

The manhood suffrage bill passed by the constitutional majority of three-fifths of both houses in the legislature of 1850-51 read in part as follows: "Be it enacted by the General Assembly of the State of North Carolina . . . three-fifths of the whole number of members of each house concurring, that the third section of the first article of the . . . constitution . . . be amended by striking out the words,

⁴² *North Carolina Standard*, January 25, 1851.

⁴³ *Raleigh Register*, January 23, 1851.

⁴⁴ *Ibid.*

⁴⁵ *North Carolina Standard*, January 25, 1851.

'and possessed of a free-hold within the same district of fifty acres of land for six months next before and at the day of the election,' so that said clause shall read as follows: 'Section 2, all free white men of the age of twenty-one years . . . who have been inhabitants of any one district within the state for twelve months preceding the day of any election and shall have paid a public tax, shall be entitled to vote for a member of the Senate.'"⁴⁵

The opposition which had to be overcome in order to pass this bill for the first time was composed mainly of western Whigs. As has been pointed out, members from this section desired a convention mainly for the purpose of changing the basis. They felt that it was an injustice that the east, with a minority of the white inhabitants of the state, should have 35 senators; while the west, with a majority of white population, had only 15. This was due to the apportioning of representation in the Senate according to taxes paid. Before the amendment could be incorporated in the constitution it would have to be passed by a two-thirds vote of the next legislature. In the interval between these two legislatures those favoring the convention method of amendment began a campaign to undo the progress already accomplished and to arouse public sentiment for a convention.

The immediate cause of the discontent in the west with the basis is found in the opposition of the legislature of 1850-1851 to internal improvements. The west was an undeveloped section, and its inhabitants favored the building of railroads and other measures that would increase the commercial importance of the section. The east had to pay most of the taxes and did not especially desire the improvement of the west. The east did not care to spend its tax money in building up the other section of the state. Previous to 1850 the North Carolina Railroad, connecting the east and the west, had been chartered. In the legislature of 1850-1851 resolutions had been offered to repeal the charter of this railroad and to repudiate the subscription which the state had made to its capital stock. Also a bill was introduced providing that no appropriation over \$100,000 could be made without the concurrent

⁴⁵ *Ibid.*

majorities of the legislature in two consecutive sessions.⁴⁶ Neither one of these proposals were adopted, but they angered the western representatives. They realized that they must have more power in the government in order to force through their policy of internal improvements. In order to get this power they favored a change of the basis, and looked to a convention to bring about such a change.

Just after the legislature of 1850-51 adjourned, "a meeting composed principally of western members of the legislature, without distinction of party" was held in Raleigh. *An Address To The People Of North Carolina On The Subject Of Constitutional Reform* was drawn up at this meeting. This document pointed out that all the free people of the state had never had a voice in organizing its government; that the constitution of 1776 had been drawn up by a body composed of the large land-holders, and containing far more eastern than western representatives; that the convention of 1835 was limited by legislative action, and that the constitutional amendments drawn up by this convention were undemocratic in respect to the taxation basis in the Senate and in continuing the limitation of the senatorial electorate to those having a freehold of fifty acres. This address objected strenuously to the unfairness in representation of the different sections and asked that it be abolished. It pointed out that there were other constitutional changes desired, such as the election of judges by the people and claimed "that the only proper republican mode of amending or altering the constitution is by the people themselves in convention assembled." It traced the history of the amendment recently passed and charged that it was secured by means of log-rolling and claimed that the western politicians had opposed it because the issue was squarely one of free suffrage alone, or a convention with hopes of other desired changes. The address closed by pointing out the advantages of the convention method over the legislative method of amendment.⁴⁷

This address, which was the shibboleth of the opposition, was signed by about forty politicians, most of whom were

⁴⁶ *Raleigh Register*, April 30, 1851.

⁴⁷ *Constitution of North Carolina* (pamphlet), 1851.

Whigs from the west. This meeting held in Raleigh was the beginning of a movement among the westerners to break away from the old parties, both Whig and Democratic, and to put out fusion candidates in the west who would work for a constitutional convention. The meeting of politicians at Raleigh was followed by assemblies of the people in the western counties. On February 18, 1851, a large and enthusiastic meeting was held in Watauga County. Resolutions were adopted declaring that whereas the people had previously expressed a desire that the constitution be amended so as to give a white population basis of representation, and nothing had been done, that there ought to be an unrestricted convention, the delegates to which should be elected on a white basis; that said convention ought to change the constitution so as to grant popular election of judges, the white basis, free suffrage, and abolition of the property qualifications for holding office.⁴⁸ In a meeting in Buncombe a definite plan for a new political organization was formulated. The new party styled itself *The Republican Party of North Carolina*, and adopted the *will of the people* as its motto. The Buncombe meeting pledged itself to nominate a candidate for governor without regard to former party affiliation, and to oppose the taxation basis in the Senate. A similar meeting in Henderson pledged itself to vote for no man who did not favor an unrestricted convention.⁴⁹ Meetings were held in Burke, Caldwell, McDowell, Rutherford, and Cleveland counties to gain support for the new movement.⁵⁰ The Whigs of the east, in reply to the new party movement, declared to their leaders that they would not adopt a pledge to vote for candidates who favored a white basis, nor would they support any man who favored an unrestricted convention.⁵¹ Those who wished to compromise argued that there was no hope of obtaining an unrestricted convention, because to call such a body a two-thirds vote of the legislature was required and that the legislature was controlled by the east; also that a new party would not test the strength of the white basis issue, because other considerations

⁴⁸ *Raleigh Register*, February 22, 1851.

⁴⁹ *North Carolina Standard*, April 19, 1851; *Raleigh Register*, April 30, 1851.

⁵⁰ *Raleigh Register*, May 7, 1851; *North Carolina Standard*, May 7, 1851.

⁵¹ *Ibid.*, May 3, 1851.

would determine many votes.⁵² The Democrats of the west, as a rule, stuck to their party and left the new movement to the Whigs; for instance, the Democrats of Buncombe held a meeting and declared for Reid, Democracy and free suffrage and did not mention the question of a convention.⁵³ Thus it came about that in the campaign of 1852 Democrats were united on the single issue of manhood suffrage by legislative enactment, while the Whigs were divided, those of the West favoring manhood suffrage and other constitutional amendments by means of an unlimited convention, and the conservatives of the east either opposing any constitutional changes or desiring merely manhood suffrage either by legislative enactment or limited convention.

The Whigs held their state convention on April 26, 1852. There were conflicting opinions as to constitutional reform, but leaders on both sides showed a willingness to compromise. Mr. John Kerr was nominated as candidate for governor. The adopting of a platform was difficult, but the Whigs tried to take a position on constitutional reform which would harmonize their contending factions. Section seven, on this subject, read: "Resolved, that in the opinion of this convention whenever amendments are to be made to our state constitution, they should be effected by a convention of the people elected on the basis of the House of Commons, and we are in favor of submitting it to the people to say whether such a convention shall be called or not for the purpose of making necessary amendments."⁵⁴ It is easy to note the elements in this platform which were the result of a compromise. The Whigs could not favor an unlimited convention for fear of estranging the eastern conservatives; nor could the party repudiate the convention method for fear of angering the west. So the platform did not clearly advocate a convention, but merely favored submitting the question to the people; in return for this concession from the west, it was decided to favor this section by apportioning the representation in any convention called according to federal population. Since three-fifths of all

⁵² *Ibid.*, April 30, 1851.

⁵³ *Ibid.*, April 17, 1851.

⁵⁴ *Ibid.*, April 28, 1852; *North Carolina Standard*, May 5, 1852.

the slaves were counted in federal population, this was a concession to the slave-holding east.⁵⁵

The Democratic platform of 1852 contained two articles on the subject of manhood suffrage. Article seven declared that the constitution of the state having provided for amendment by legislative action and three-fifths of both houses of the last General Assembly having voted for free suffrage, the Democratic party was in favoring of reaffirming it by the required two-thirds majority in the next assembly. The eighth article of the platform declared against a change of the basis of representation in either the House or the Senate. The Democrats nominated Governor Reid to succeed himself as chief executive.⁵⁶

It was a very uneven fight which was waged in the canvass of 1852. The Democrats were firm in their two most important issues, namely: manhood suffrage by legislative enactment and opposition to a change of basis. The Whigs were divided on the question of the basis, and part of them supported the convention scheme merely for the sake of party unity and of opposition to the Democrats. Thus it was that Reid, the Democratic candidate for governor, could come out squarely for manhood suffrage all over the state. Kerr, the Whig nominee, tried to relegate the manhood suffrage question to the background, stating that it was a harmless sort of an issue and claiming that the constitution was good enough in its existing condition. He emphasized his convention issue according to the part of the country he was speaking in. The Democrats claimed that during the campaign in the east he touched lightly on the convention issue, but in the west he favored a free, open, unrestricted convention which would change the basis of representation in the Senate. Although Kerr denied that he changed his attitude on the basis and claimed that he and Reid occupied the same position on this question, it is probable that he modified his statement according to the sections in which he was speaking.⁵⁷ Kerr took the position that if the majority of the people desired that a convention be called that it was the

⁵⁵ *Weekly North Carolina Standard*, May 19, 1852; *Raleigh Register*, May 19, 1852.

⁵⁶ *Ibid.*

⁵⁷ *Raleigh Register*, June 5-8, 1852; *North Carolina Standard*, June 5-8, 1852.

duty of the governor to issue the call for the convention, despite the constitutional provision that a two-thirds vote of the legislature was necessary. He was severely criticised by the Democrats for this stand.⁵⁸

The election of 1852 shows that there was a clear split in the Whig party over the convention issue. In the western counties fusion candidates were chosen in several instances, and these were pledged to vote for open convention. Reid obtained his largest gain in the western counties, however, and this shows that the Democrats as a rule stayed by the party. Reid was elected by the safe majority of 5,500, and the Democrats obtained a large majority of the representatives in the General Assembly.⁵⁹ It seemed that it was practically certain that the manhood suffrage amendment would receive the two-thirds majority necessary to make it a part of the constitution. Governor Reid, in his annual message to the legislature, stated that the equal suffrage bill had been passed by three-fifths of the last legislature and urged that the necessary two-thirds majority be given in the assembly of 1852-3. He stated his objections to a convention, and opposed all changes in the basis and all agitation concerning such changes.⁶⁰

Despite the favorable outlook for the free suffrage amendment, opposition quickly developed in the assembly of 1852. It seems that, by accident, the opponents of the manhood suffrage amendment had a majority of the committee on constitutional reform in the House of Commons. This committee reported against the equal suffrage amendment, but a minority report of the same committee submitted a set of preambles and resolutions, tracing the history of the bill from its conception and providing for the submitting of the proposition to the electorate after it had received the constitutional two-thirds majority.⁶¹ On Tuesday November 23, 1852, this minority report passed the House of Commons on the third reading without debate, two-thirds of the whole membership voting for it. Opposition in the Senate came entirely from the Whigs, while every Democrat who voted and a few Whigs supported

⁵⁸ *Weekly North Carolina Standard*, June 2, August 4, 1852.

⁵⁹ *Ibid.*, August 18, 1852.

⁶⁰ *Weekly North Carolina Standard*, August 20, 1852.

⁶¹ *Ibid.*, November 20, 1852.

the measure. The bill was defeated the first time it came up because many Whigs refused to vote either for or against it.⁶² A reconsideration was moved, and a vote was taken on December 13. The bill was defeated by a vote of 33 for, to 15, against it. Since the total representation in the Senate was fifty, a two-thirds vote would have required 33 1-3 votes in favor of the amendment. W. N. Edwards, of Warren, Speaker of the Senate and a Democrat, had the privilege of voting, but refused to cast his ballot either for or against the measure—on the ground that, even though a Democrat, he had always opposed equal suffrage and had been elected to his position as a compromise candidate because of his known opposition to the amendment. Thus it was that manhood suffrage was delayed for another two years for the lack of one-third of a vote. The odium of the defeat of this measure rested upon the Whigs because all Democrats voted for the bill, except Edwards who voted neither way; while only six Whigs voted for the amendment and fifteen against it.⁶³

After the failure of the equal suffrage measure in the Senate, Messrs. Hill and Berry, originators of the bill in the Commons, attempted to have the amendment reconsidered, in hopes of getting at least a three-fifths majority. This was necessary because the constitution provided that an amendment had to pass by three-fifths and two-thirds vote in two successive assemblies. The Commoners had, however, lost confidence in the legislative method of amendment and refused to pass the bill by three-fifths majority, although they had recently passed it by a two-thirds vote. The count stood 64 *pro* and 34 *con*, whereas 72 would have been necessary to pass.⁶⁴ Thus the work of two years' legislative discussion and action was lost, and the manhood suffrage amendment had to start again at the place it had been in 1850.

The manhood suffrage issue came up again in the campaign of 1854. By this time the western Whigs had almost given up hope of getting a convention to change the basis in the Senate. Also the east and west had agreed on the matter of internal improvements, and the grievance which had led the west to favor

⁶² *Ibid.*, December 8, 1852.

⁶³ *Ibid.*, December 11, 1852.

⁶⁴ *Ibid.*, December 15, 1852.

a change in the basis had been removed.⁶⁵ Even after this obstacle to amendment by legislative action had been partly removed, the Whigs could not bring themselves openly to favor manhood suffrage by legislative enactment. The issue had been originated by the Democrats, and this alone was enough to condemn it in the eyes of the Whigs; so we find the platform of this party in 1854 declaring that the people desired certain changes in the constitution and favoring that these changes be made in a convention having the power to change any part of the constitution except the basis of representation. No mention was made of free suffrage, as such, in the platform. Alfred Dockery was the Whig nominee for governor.⁶⁶

The position taken by the Whig party in advocating a convention which could not change the basis aroused in the western wing of the party some opposition. In this section the desire for the white basis was not entirely dead. There was a movement to repudiate the article of the Whig platform which dealt with limiting the convention, and this movement culminated in a meeting held at Asheville in April, 1854. Delegates from some of the western counties met, and resolved that the state legislature could not restrict a sovereign convention, and that any convention called must have the power to change any feature of the constitution.⁶⁷ This dissatisfaction in the west crippled the Whig party at the very beginning of the campaign.

The Democrats, in 1854, nominated Thomas Bragg for governor and adopted a platform favoring free suffrage by legislative enactment and opposing any change in the basis.⁶⁸ In the canvass the two candidates took almost the same position on the free suffrage issue. Both opposed a change in the basis of representation, and both favored manhood suffrage. They differed in the manner of bringing about the necessary constitutional change. Dockery favored the convention method, and Bragg advocated the legislative enactment scheme. Bragg argued that a convention must be sovereign, and therefore, it could change the basis. He emphasized the danger of

⁶⁵ *Raleigh Register*, April 30, 1856.

⁶⁶ *North Carolina Standard*, March 1, 1854; *Raleigh Register*, February 25,

⁶⁷ *North Carolina Standard*, April 19, 1854.

⁶⁸ *Ibid.*, April 22, 1854; *Raleigh Register*, June 3, 1854.

calling any convention, claiming that the west would surely change the basis. He also called attention to the fact that there was no constitutional requirement that would make a convention submit its work to the people; whereas the legislature was forced to submit an amendment to the electorate before it could become a part of the constitution. Dockery maintained that his method was more democratic and economical, would give a much needed general revision to the constitution, raise that document above party politics, and prevent politicians from riding into office on questions of constitutional reform.⁶⁹ In this canvass the Democratic candidate was successful by a safe majority, and the Democrats returned a majority of the members of the Assembly.

When the legislature of 1854 convened, Reid was still governor, and he continued to work for manhood suffrage. In his message of that year he again strongly recommended the amendment. He pointed out that fifty thousand men were being deprived of the privilege of voting for members of the Senate, and that a large number of those deprived of this franchise possessed land of greater value than the required fifty acres at an average price. In the Senate of 1854 the old proposition of holding an election to ascertain whether or not the people wanted a convention was introduced by ex-Governor Graham, and there was some discussion of the matter.⁷⁰ Messrs. Graham, Gilmer, and Haughton supported the election proposal, while Hoke and Thomas spoke in favor of the legislative method. The debate was important because it was a serious question in the minds of some of the senators as to whether it would be better to keep up the fight for amendment by legislative enactment, which had failed for six years straight, or to yield to the persistent Whig demand for a convention.⁷¹

Early in 1855 Bragg went into office, and in his inaugural address he urged that the suffrage amendment be passed by the three-fifths majority. Boyd had already introduced in the Senate a bill very similar to the one which had been proposed in 1850-1. The proposition was discussed freely, and some of

⁶⁹ *Ibid.*, July 15, 1854; *Raleigh Register*, June 3, 1854.

⁷⁰ *Raleigh Register*, November 15, 1854.

⁷¹ *North Carolina Standard*, December 18, 1854.

the opponents of the legislative enactment claimed that the measure as proposed would allow unnaturalized foreigners to vote. This fear of the immigrant element in politics was a result of the Know Nothing movement, which was at this time coming into prominence in national politics. The doctrine of the new party was summarized in the words "America for Americans," and it desired a restriction of immigration. Mr. Haughton proposed an amendment which would remedy this objection, and it was adopted by a close vote. The Democrats seemed to have adopted this amendment to the bill, not because they deemed it necessary, but rather to quiet the criticism of the opposition. Other amendments were voted down, and the bill passed its final reading by a vote of 35 to 15, this being five more than the required three-fifths majority.⁷²

This free suffrage bill which had passed the Senate was taken up in the House toward the end of January. On its first reading the amendment passed by a vote of 89 to 18. The position of the Whigs is very well shown by this vote. There were 29 Whigs in the House, and 18 of these made up the entire opposition. Most of these Whigs voted against manhood suffrage merely because they did not like the manner in which it was being given to them, or at least this was their pretended reason. Some members of the House did not think that the Senate had completely settled the question of unnaturalized foreigners voting; and Mr. Mebane offered an amendment to the constitutional amendment stating: "Nothing herein shall be construed to allow unnaturalized foreigners to vote." The majority thought that there was no danger of foreigners voting under the law as it stood, and the Mebane amendment was rejected.⁷³ The bill passed its other readings in the House by a large majority and was ordered to be enrolled on February 1. The policy of the Democrats of the House of Commons was to allow the Whigs to do all the speaking and to propose all the amendments, while the Democrats kept quiet and voted down amendments systematically. The Whigs embodied their idea in the form of amendment to the original

⁷² *Weekly North Carolina Standard*, January 31, 1855.

⁷³ *Ibid.*, January 31, 1855.

bill. This proposition was to call a convention of the people. The original Whig proposal was amended so as to prevent any convention called from changing the basis, and so as to make a two-thirds vote of each house necessary for its enactment. This proposition of the Whigs was defeated by a party vote.⁷⁴

The act as passed by the legislature of 1855 stated that many voters were disfranchised by the free-hold qualification and amended the third section of the first article of the constitution so as to read: "Every white man of the age of twenty-one years, being a native or naturalized citizen of the United States and who has been an inhabitant of the state for twelve months immediately preceding the day of any election and shall have paid public taxes, shall be entitled to vote for a member of the Senate for the district in which he resides." A second section of the bill required the Governor to publish the measure in ten papers of the state six months before the next election. Before the bill could become a part of the constitution it had to be passed by two-thirds of the next legislature, and finally ratified by the people in a special election.⁷⁵ As required by the constitution, the proposed free suffrage amendment was published six months before the election of 1856, and this question was again an issue in the campaign of that year.

Since 1850 the Whig party in national affairs, as well as in North Carolina, had been becoming steadily weaker. The position of the party on the compromise of 1850 had practically killed the party as a national political organization. It still had strength, however, when the Kansas-Nebraska bill was introduced in congress in 1854. The remnant of the party split over this measure, the southern members favoring it with the Democrats and the northern wing bitterly opposing it. After such a union of southern Whigs and Democrats on the slavery issue, it was natural to expect that the two parties in North Carolina would merge into one. But party bitternesses and differences of opinion on other matters were too intense. North Carolina Whigs sought temporary shelter in the ranks of the new Know Nothing party. The Whigs of North Carolina carried into

⁷⁴ *North Carolina Standard*, February 7, 1855.

⁷⁵ *Weekly North Carolina Standard*, February 5, 1855.

their new party most of their ideas on state politics, and among these was opposition to free suffrage by legislative enactment. The new party lasted through the campaign of 1856, but the Know Nothing principles of opposition to immigrants and Catholics had no application to North Carolina where there was no great number of foreigners. Hence the enthusiasm for the new party soon waned, and finding that it was not as strong as the old Whig organization, the Whigs after 1857 returned to their old party name.⁷⁵

The Democratic candidate for governor in 1856 was Bragg, who was running for re-election. The Know Nothings nominated Gilmer, who as a Whig had been prominent in his opposition to manhood suffrage by legislative enactment. He had voted against the bill of the Democrats in the Assemblies of 1848, 1850, 1852, and 1854 and had fought strongly for a convention.⁷⁶ He was one of the forty politicians who had signed the western address, and who had tried in vain to split the Whig and Democratic parties.⁷⁷ The convention which nominated Gilmer declared in its platform: "Whereas there exist various and conflicting opinions among Whigs and Democrats both as to the propriety of amending the constitution, as well as to the manner and extent to which amendment should be made: Resolved,—that in order that the paramount principles of Americanism may not be trammelled in the ensuing contest by vexed state questions made up by former political organizations, the American party, eschewing sectional issues in the state as well as in the Union, declare their purpose of abiding by and maintaining the representative basis of the present constitution."⁷⁸ In the canvass Gilmer took the traditional Whig attitude as to free suffrage. He favored the abolition of the qualification by means of a convention and opposed a change in the basis. He claimed that he was a better free suffrage man than Bragg, because his plan would have procured the amendment long ago.⁷⁹ He, true to the western address, favored amendments other than free suffrage, such

⁷⁵ Wagstaff, *State Rights and Political Parties in North Carolina*, pp. 90-6; also Cole, *Whig Party in the South*.

⁷⁶ *Weekly North Carolina Standard*, April 3, 1852.

⁷⁷ See above, pp. 15, 16, 17.

⁷⁸ *Weekly Raleigh Register*, April 16, 1856.

⁷⁹ *Weekly North Carolina Standard*, May 7, 1856; and *Raleigh Register*, June 14, 1857.

as an increased tax on slaves and the election of judges by the people. The Democrats urged that, because Gilmer had in the western address favored the white basis, he was still in favor of it. The accusation hurt the American candidate among the conservative slave holders of the east, and he made a poor race in consequence. Bragg favored only one change in the constitution and opposed the convention proposition. The Democratic candidate was re-elected by the unusually large majority of 12,594 votes, and a Democratic majority of forty on joint ballot in the Assembly assured the passage of the free suffrage amendment by the two-thirds majority required by the constitution.⁸⁰

The free suffrage bill was introduced in the Senate by Boyd in November of 1856.⁸¹ The bill proposed stated the fact that the amendment had been passed by three-fifths of the last assembly. It provided that the governor should open the polls within eighty days after the bill had passed by a two-thirds vote, and that thus the will of the people as to its acceptance or rejection should be ascertained. The bill further provided that if the amendment was adopted and ratified, it should be enrolled as part of the constitution by the Secretary of State.⁸² The Governor's message, coming out a few days after the introduction of this bill, urged that it be passed. By the end of November the Boyd bill had passed its three readings in the Senate by considerably more than the constitutional majority. In the the House the votes in its favor were practically unanimous, the count being 109 to 4 at one time and 93 to 5 at another. There was one attempt at amendment in the House, Thomas proposing to limit the taxation of land per acre to twelve-fiftieths of that on polls, as a guarantee that the landholders, who were being deprived by the amendment of what they considered their rights, would be protected against excessive taxation.⁸³ The proposal of Thomas was declared out of order by the Speaker, and his ruling was sustained by the House. Mr. D. F. Caldwell of Guilford entered his solemn

⁸⁰ *Ibid.*, August 20, 1856.

⁸¹ *Ibid.*, November 22, 1856.

⁸² *Ibid.*, November 29, 1856.

⁸³ *Raleigh Register*, January 14, 1857.

protest against passing the bill, doing this in the face of overwhelming opposition.⁸⁴ He had opposed manhood suffrage since its inception in 1848.

The bill as finally passed was essentially the same as the measure of 1850, except that it contained a history of the passage of the bill at various times. It provided that the amendment abolishing the free-hold requirement should be submitted to the people for ratification on the first Thursday in August of 1857, sixty days notice being given by the Governor.⁸⁵ The governor's proclamation as to the election was duly published on September 12, 1857, and later an announcement was issued stating that the amendment had been ratified by the people at the polls, the vote being 50,075 for ratification and 19,382 against. The amendment was then declared to be a part of the constitution of North Carolina.⁸⁶

With the vote as overwhelmingly for ratification as it was, it is difficult to draw any conclusions as to the sectional division of the votes. A list of the eastern and central counties with their votes shows that there were cast in all 21,100 ballots and of these 14,114 were for and 6,986 against ratification. This ratio of two to one is somewhat behind the vote for the whole State, which was nearly three to one. In the extreme west we find Cherokee County on the one hand with a vote of 814 for ratification and only four against, while Craven in the extreme east was about evenly divided, 216 for and 263 against.⁸⁷ From this comparison we may conclude that much of the opposition to free suffrage came from the eastern slave and land-holding aristocracy. The history of the bill during its passage through the legislature would contradict this conclusion, but we must remember that the west was really very democratic and only opposed manhood suffrage in order to use that issue to obtain a constitutional convention in which it hoped to enact amendments that would wipe out such undemocratic, or rather anti-western, features of the constitution as the taxation basis of apportionment in the Senate.

⁸⁴ *Weekly North Carolina Standard*, December 3, 1856.

⁸⁵ *Weekly North Carolina Standard*, December 7, 1856.

⁸⁶ *Ibid.*, September 2, 1857.

⁸⁷ *Ibid.*, August 12, 1857.

From this we are led to the conclusion that the manhood suffrage movement was not entirely as democratic as its supporters pretended it to be. The measure was supported by the progressive Democrats in the west as well as the reactionary Democrats of the east, and the continual demands of the west for fairer representation and more democratic government were ignored. The favoring of free suffrage by the conservative element of the Democratic party is to be understood as an attempt to appease rather than to satisfy the westerners. The Whigs of the west resisted and demanded a convention because they preferred to be satisfied rather than appeased.

With the nature of the manhood suffrage movement well in mind, we may now notice the effects of this movement upon the later history of North Carolina. The free suffrage movement was mainly the cause of the fall of the Whig party and the rise of the Democratic party into power. Such an issue as manhood suffrage was necessarily popular; and therefore gained votes for the party supporting it. Moreover this issue brought dissension between the inharmonious elements of the Whig party. Free suffrage was too radical for the conservatives and too conservative for the radicals; so the Whigs were weakened by internal strife, and the Democrats gained a lease of power which lasted until 1862. The result of this Democratic supremacy was important for the history of North Carolina. The agitation for manhood suffrage had liberalized the party, and it helped to make liberal ideas triumphant. As has been shown, the movement for free suffrage was not the most democratic one possible; but it was, nevertheless, a very advanced stand to be taken by an organization which had been as conservative as the Democratic party of 1836-1848. Manhood suffrage gave its advocates a progressive issue, which drew to the party the young men and which made it popular in the west. The result was a liberalization of the Democratic policies which made itself felt in the attitude of this party towards internal improvements and educational development. Previous to 1848 the Democratic party was strongly opposed to all internal improvements. Its members often refused to vote for money for railroads, plank roads, schools, or other state institutions. In 1848 only a small minority of the party was in

favor of internal improvements, and nearly all of this was in the west. In this year there was a threatened division within the party over the issue.⁸⁸ After this organization had become liberalized through the influence of the free suffrage movement, we find its members voting large sums for internal improvements and education.

The history of the manhood suffrage movement in North Carolina is typical, in respect to the time required to accomplish the change, of many movements in the state. It took our politicians nine years of constant agitation to decide to abolish such a palpable evil as the free-hold requirement for suffrage in senatorial elections. Instances of similar slowness of action are plentiful in the history of the state.

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Some Phases of Reconstruction in Wilmington and the County of New Hanover *

BY BRYANT WHITLOCK RUARK

INTRODUCTION

The Cape Fear section of North Carolina has long been regarded as one full of historical interest. The citizens of Wilmington and the surrounding country responded nobly to the Revolutionary cause in 1775, and when North Carolina decided to cast her fortune with the other Southern States in 1861, New Hanover County again rallied to arms in defense of her home and people.

The people of the Cape Fear section were champions of the South's cause from the very beginning of the secession movement. The *Wilmington Journal* was among the first newspapers of the State to favor radical action. It took such a stand when sentiment as a whole was overwhelmingly in favor of the Union.¹ Geo. Davis attended the Peace Conference in Washington City but returned an advocate of secession.² Mr. Hamilton, in his work on Reconstruction in North Carolina, is authority for the statement that the secession movement of the state as a whole started in Wilmington. The first "States Rights" meeting was held there and from this developed the sentiment that led to similar meetings throughout the state.³

In ante-bellum days, Wilmington was a very important port, being easily the largest naval stores market in the United States. A large trade in naval stores, timber and cotton flourished with the West Indies; and from them were received in return such articles as sugar, molasses, and coffee. The town also enjoyed a brisk trade with the North and with Europe. Steamship lines to Fayetteville brought it in touch with the upper Cape Fear, and coastwise vessels known as "Corn Crackers" were a means of intercourse with the north-

* In this essay, after the Introduction, the following topics are discussed:—Education, The Court System, The City of Wilmington, Social and Economic Conditions, and Political Affairs.

¹ Hamilton, *Reconstruction in North Carolina*, p. 14.

² *Ibid.*, p. 34, note.

³ Hamilton, *Reconstruction in North Carolina*; also Wagstaff, *State Rights and Political Parties in North Carolina*, p. 127.

eastern part of the state. There were ample facilities for commerce with Charleston and other cities. The town enjoyed good banking facilities and advantages, and altogether conditions worked in those days so as to give Wilmington a prominent position as a commercial center.⁴

Life in the Cape Fear section was distinctive. An aristocratic element was introduced by the coming of the Moore family at the close of the Tuscorora War.⁵ Here were to be found large plantations with the stately homes of the owners and well-arranged slave buildings. The slaves outnumbered the whites. Social distinctions were marked and were scrupulously observed. One of the effects of the Civil War was to wipe away the social ideals and observances that formerly prevailed. The necessity for all to struggle for a livelihood caused many social differences to disappear.⁶ However the aristocracy of the Cape Fear was not only one of land and of wealth. There was also an aristocracy of brains, and from such families as the Moores, Waddells, Davises, and many others came men of rare ability who played a prominent part in the events of later years. The occasion of war and the struggle itself not only caused a breaking up of the large plantations and the disruption of aristocratic life, but also developed the talents of gifted men.

Prior to the decision of North Carolina to join the Confederacy, the people of New Hanover and adjoining territory set to work to perfect military organizations. The principal military companies in the town were the Wilmington Light Infantry, formed in 1853, and the German Volunteers, organized about the same time. The latter was composed entirely of Germans and was the only organization of its kind in the state.⁷ The former consisted of 39 men and officers, and the latter numbered all told 34. Other companies were the Wilmington Rifle Guards, numbering 27 men; Cape Fear Artillery, composed of 20; and the Cape Fear Rifles consisting of about the same number.⁸ These were known as the Reserves of New

⁴ Waddell, *Some Memories of My Life*, pp. 40, 41.

⁵ Connor, *Cornelius Harnett*, p. 11; also Ashe, *History of North Carolina*, I, ch. 15.

⁶ Waddell, *Some Memories of My Life*, pp. 42, 43.

⁷ *Ibid.*, p. 45.

⁸ Clark's *Regimental History*, Vol. V, *passim*.

Hanover. The Wilmington Horse Artillery troop was chartered by the legislature in 1861.⁹ All were strengthened as the war fever increased.

Early in January, 1861, a committee of Wilmington citizens visited Governor Ellis and asked him to seize Forts Johnston and Caswell, two Federal Arsenals, at the mouth of the Cape Fear River, in the name of the state. The latter was important because it commanded the entrance. But he refused. Therefore, on the morning of January 10, 1861, several citizens of Wilmington, organized as a Committee of Safety under the name of "The Cape Fear Minute Men," and under the command of John J. Heddrick, captured Fort Johnston. That same afternoon in company with S. D. Thruston, captain of the "Smithville Guards," and a number of the citizens of Smithville, now Southport, they took possession of Fort Caswell. Governor Ellis telegraphed to Washington to know if the Federal government intended to garrison the forts. He received the reply that this would be done when it became necessary. Thruston was obliged to give up the forts as it was thought they had been captured by the state militia, but this was a mistake. However, they were recaptured by the Wilmington Light Infantry, the German Volunteers, and the Wilmington Rifle Guards under the command of Colonel John L. Cantwell, on April 16, 1861.¹⁰

In addition to the Reserves, New Hanover County sent men to various regiments. Company H of the Fortieth Regiment was organized at Wilmington in 1861, and consisted principally of Irishmen. Company A of the Forty-first Regiment, known as the Rebel Rangers, consisting of 163 men, came from New Hanover County. It has not been possible to determine the number of men sent to the front, but many able-bodied men left and never returned, leaving those dependent on them reduced to trying circumstances.¹¹ And the fact that many bread winners failed to return accounts in part for the dire economic struggle of the period of reconstruction.

⁹ Laws, 1860-61, ch. 101.

¹⁰ Rebellion Records, Series I, Vol. 51, Part 1, p. 2.

¹¹ New Hanover men composed Companies A and C of the First N. C. Regiment, Co.'s D, F, and N, of the Third, Co. C of the Seventh, Co. F of the Eighth, and the whole of the Fifty-first Regiment.

In order to effect adequate coast defenses, there was chosen for the town of Wilmington a Committee of Safety in the latter part of February, 1861. Members of this were John C. McRae, who was later agent abroad for the State, W. A. Wright and J. D. Bellamy. A meeting was held April 16, 1862, to raise money for the defense of the river, and although no figures are obtainable, a substantial sum was provided. Early in 1862 General W. H. C. Whiting was assigned to the command of the district of the Cape Fear, and he together with Colonel S. L. Fremont, whom the Committee of Safety had appointed Superintendent of Coast Defenses, undertook to make adequate provision for protection. In a letter to General Ben S. Cooper,¹² Whiting states that Wilmington was very much exposed and asked for additional material to erect batteries at Masonboro, near Wilmington, and New Inlet, near Fort Fisher, at the Cape Fear and Bald Head Landing, at the southern end of Bald Head Island, and at Forts Caswell and Johnston, at the mouth of the Cape Fear. He also asked for a reserve of 1,000 men. There were only three batteries erected: one each at Oak Island, situated near Fort Caswell, Zeke's Island, just south of Fort Fisher, and Confederate Point.¹³ Whiting was constantly faced with the problem of protecting the coast with inadequate means, and stringent measures were resorted to in order to carry on the work. For instance, he called on Governor Vance for iron from the Wilmington, Charlotte, and Rutherfordton Railroad Company to complete the casements at Caswell.¹⁴ He made frequent calls on Governor Vance for negroes to work on the defenses and was granted about five hundred.¹⁵ These, however, had to be returned to their owners in time for the harvests, and their withdrawal necessitated a call upon the residents of the county for manual labor. To this situation was added a disagreeable condition brought about by a conflict between the civil and military authorities. Minors who had been pressed into service made application to the courts for writ of habeas corpus in order that they might be relieved from service. Quite a deal of

¹² Rebellion Records, Series I, Vol. 51, part 2, p. 83.

¹³ These were in addition to the regular fortifications of Forts Johnston, Caswell, and Fisher.

¹⁴ Vance MSS. Letter-book, Vol. 1, p. 84.

¹⁵ *Ibid.*, p. 162.

correspondence passed between Vance and Whiting on this point. Later on another source of difficulty arose. The State owned some salt works at Masonboro Sound. Whiting made the charge that the state salt workers were giving information relative to the defenses. In July, 1864, he asserted that two-thirds of them were members of a traitorous organization known as "H. O. A.," which was also very strong in Randolph County.¹⁶ In 1863, the withdrawal of the negroes demanded that additional forces be granted. Whiting, who was put in charge of the District of the Cape Fear, created in 1863, called on Seddon, the Confederate Secretary of War, for troops.¹⁷ He also asked Vance for four or five regiments.¹⁸ Five thousand troops were sent. In September, 1864, Whiting applied to General Lee for forces, and received a reply that he must depend on the state forces. Practically all of the state's troops were withdrawn by this time, and affairs had come to a crisis. In October of 1864, there were only twelve to fifteen hundred men to man the defenses.¹⁹ The above instances illustrate the lack of harmony between the officers in charge and the state officials. The former made charges that they were being neglected, and it was proposed that the southeastern counties join South Carolina in order that they might have proper coast defense.²⁰ In addition to this, great disorder prevailed because of lack of proper police regulations, and a stagnation of business resulted from the unsettled conditions. Moreover, in the fall of 1862, the town of Wilmington suffered much from an epidemic of yellow fever. Thus war, pestilence, and famine combined to bring misery to the people.

Upon the proclamation of Lincoln issued April 19, 1861, declaring a blockade of Southern ports, measures were at once taken to close the port of Wilmington, the natural advantages of which for blockade running were clearly evident. The first blockader was placed on the Cape Fear River in July, 1861, and first and last thirty or more were used to guard the river. Wilmington became the chief cotton port for the Confederacy.

¹⁶ Vance MSS. Letter-book, Vol. 2, p. 196, contains only a reference to the "H. O. A." The writer has been unable to obtain further information.

¹⁷ Vance MSS. Letter-book, Vol. 1, p. 350.

¹⁸ Vance MSS. Letter-book, Vol. 1, p. 377.

¹⁹ Vance MSS. Letter-book, Vol. 2, p. 273.

²⁰ Hamilton, *Reconstruction in North Carolina*, p. 44. *Wilmington Journal*, September 25, 1862.

The "Corn Crackers" had gone, as had also the line of steamers between New York and Wilmington and Charleston and Wilmington. But cotton compresses were kept busy, and a fleet of blockade runners carried the staple from Wilmington to Nassau, five hundred and seventy miles distant, and to Bermuda, six hundred and seventy-four miles from Wilmington. In return they brought ammunition and provisions such as salt, sugar, and molasses. Relative to blockade running, Mr. James Sprunt, purser of the Confederate blockade runner *Lillian*, says:

"In the early stage of the war, blockade running was carried on in part by sailing vessels; for the blockade was not yet rigorous, and speed on the part of the venturesome had not become essential to success. The proclamation of the blockade had suspended the legitimate commerce, and the owners of the cheap sailing craft which faced the extra hazard of war, had, for a time, little to lose and much to gain in the venture. The inward cargoes were less valuable than those brought by later steam vessels, and they consisted of such necessary commodities as salt, sugar, molasses and other cheaper supplies. These cargoes were not then openly declared from neutral countries for a blockaded port, their ostensible destination being the markets of the North; and when by chance an enterprising shipper suspiciously near the Carolina coast, was overhauled by a cruiser, he was always ready with a plausible story of adverse winds and false reckonings. For a time such cases were allowed to withdraw with a warning. In later months all suspicious craft detected in the act of approaching a blockaded port were seized in the name of the United States, and sent in charge of the prize crew to a convenient Northern port for adjudication, which invariably resulted in their condemnation and sale."²¹

In the autumn of 1862 there occurred in Wilmington a severe epidemic of yellow fever. This disease was brought from Nassau by the blockade steamer "Kate" and was the result of a laxity in quarantine regulations.²² Mr. Sprunt says: "The good old town was sadly marred by the plagues of war

²¹ James Sprunt, *Tales of the Cape Fear Blockade*, pp. 41, 42; also, *Wilmington Journal*, September 12, 1862.

²² *Ibid.*, pp. 11-15; Waddell, *Some Memories of My Life*.

and of pestilence and famine; four hundred and forty-seven of a population, reduced by flight to five thousand, had been carried off by the epidemic of yellow fever brought from Nassau by the steamer *Kate*; and hundreds more of the younger generation, who gave up their lives in the Confederate cause had been brought to their final resting place in Oakdale Cemetery. Suspension of the civil law, neglect of sanitary precaution, the removal of nearly all of the famine stricken women and children to safer places in the interior, and the coming of speculators to the auction sales of the blockade runners' merchandise, as well as of lawless and depraved characters attracted by the camps and shipping, had quite changed the aspect of the whole community."

According to the *Wilmington Journal*, there were reported from September 19 to November 15, fifteen hundred and five cases of yellow fever and six hundred and eighty deaths in Wilmington and vicinity.²³ Strenuous measures were taken to combat the ravages of the plague. The city employed a corps of physicians. Nurses were sent from Asheville, Charleston, and other points. Fayetteville, Charleston, Montgomery, Ala., and Asheville sent contributions in money and goods. The fever raged from September 19 to November 15, and some days as many as sixty-four deaths were reported. Different organizations of the city raised funds, and, in one instance, a body of Jewish citizens subscribed eleven hundred dollars in five minutes. With the coming of cold weather the disease began to abate.²⁴

Such were some of the conditions in Wilmington and adjacent country from 1861-1865, during the time of strife. War, famine, and pestilence dealt their deadly blows. All the while the question of adequate coast defenses was harrowing the minds of those in command. The beginning of the end came when, toward the end of the war, the Federals turned their guns on Fort Fisher. On the morning of January 13, 1865, the bombardment began and for three days continued. To illustrate the strait to which the Confederates were reduced, an instance told by an uncle of the writer in the Confederate

²³ *Wilmington Journal*, November 20, 1862; also, Waddell, *Some Memories of My Life*, p. 55.

²⁴ *Wilmington Journal*, November 28, 1862.

Army is here given. On the morning of the day before the Fort fell, each Confederate soldier was given for his day's allowance a pint of dry peas. These were soaked in water and eaten raw because there was not time for cooking. January 15 the Fort was captured, and the Federals took possession of the town on February 22, 1865.²⁵ Wilmington and the surrounding country then entered upon the reconstruction era, during which it was yet to undergo many a dark and dreary experience.

EDUCATION

Naturally the confusion during the war and the period immediately following caused many of the schools to be closed. It was not long, however, before schools began to be re-established. In February of 1866, Hamilton McMillan, a graduate of the University of North Carolina, opened a classical and scientific school for the instruction of the whites.²⁶ In March of the same year, a school for negroes was set up, and St. Paul's Episcopal Church, belonging to white people, was used as a school room for negro education.²⁷

It was not until 1867 that any appreciable advance took place in educational matters. In February, 1867, Mr. J. N. Hinton organized the Wilmington High School, a private institution with an enrollment of sixty pupils.²⁸ Negroes were not admitted. Closely following, the legislature passed an act to incorporate the Wilmington Institute, which institution began work on March 15, 1867.²⁹

Northern and Federal organizations also became active in education. In March, 1867, the Soldiers Memorial Society of Boston opened a school for the negroes. Two teachers, young ladies from the North, were sent to take charge.³⁰ Almost simultaneously, the American Unitarian Association and the Young Ladies Union Benevolent Society established industrial schools for the negroes. Both of these were northern organizations whose purpose was to educate the negroes of the

²⁵ For a contemporary account of the entry of the Union soldiers into the town, see Burkhead, L. S., *History of the Difficulties of the Pastorate of the Front Street Methodist Church, Wilmington, for the year 1865* (Papers of the Trinity College Historical Society, Series VIII, pp. 37, 38).

²⁶ *Wilmington Journal*, February 12, 1866.

²⁷ *Ibid.*, March 15, 1866.

²⁸ *Morning Star*, February 17, 1867.

²⁹ *Wilmington Journal*, March 1, 1867.

³⁰ *Morning Star*, March 5, 1867.

South.³¹ Their activities were prompted partly by the desire to better the condition of the negroes, and partly because of the impression that the whites wished to keep them in an ignorant condition. In general, these teachers from the North were kindly and politely received by the Southern people, yet it is true that some of them were not tactful, and friction resulted.

The initiative by outsiders had a very important effect; it served to stir public spirited citizens to action. Within three days of the establishment of the above schools, a committee of citizens met and raised \$99.50 for a public school for white children.³² This amount was insufficient for immediate action, and it was held in trust until further funds could be raised. In the following month, the Ladies Benevolent Society, an organization whose object was primarily to relieve suffering, took a lively interest in the matter. It is interesting to know that Mrs. Catherine Kennedy, familiarly called "Mother" Kennedy, president of the society at this time, later founded the Catherine Kennedy Home for old ladies, and this Home still exists in Wilmington and is supported by public subscriptions. The Ladies Benevolent Society appointed a committee of twelve to devise plans for forming a school.³³ This committee acted in conjunction with the mayor of the town, with whom the subscription of \$99.50 had been deposited. This amount was now supplemented by a further subscription of \$563.00, and a building was erected at the corner of Sixth and Orange Streets. A city school was put into operation, and thus was carried out the provisions of "An Act authorizing incorporated cities and towns to establish a system of schools," which had been passed by the Legislature the preceding month (March, 1867).³⁴

In August, 1867, the Unitarian Association of Boston set up a free school for white children.³⁵ The former schools opened by the northern societies had been for the negroes. A schoolhouse was built in the Dry Pond section of Wilmington, and Misses Amy Bradley and Girish came South to take charge. In this connection an instance occurred in which the

³¹ *Ibid.*, March 5, 1867.

³² *Ibid.*, March 8, 1867.

³³ *Ibid.*, March 12, 1867.

³⁴ *Morning Star*, March 14, 1867; also, Public Laws of North Carolina, 1866-67, ch. 14.

³⁵ *Morning Star*, August 15, 1867.

charge that teachers from the North were actuated by personal interests received a contradiction. The attendance upon this school reached 135; and as two teachers were not sufficient, Miss Bradley hired a third teacher out of her own salary. Miss Bradley through the aid of Mrs. Heminway, of Boston, built the Heminway school for teachers which later became the City High School. In the latter part of 1867 there were established two church schools, one by St. John's Parish and the other by Rev. Mr. Myers of the Jewish Synagogue. The latter was called the Wilmington Collegiate Institute, and in addition to the regular courses modern languages were taught.³⁶

Soon the negroes, stirred by the work of others in their behalf, became active in education. A body of negroes applied for a charter, and, on December 21, 1867, G. W. Price, Thos. Rivera, Frederick Brown, Allen Evans, Joseph Mitchell, Hezekiah Reede, John C. Norwood, Alfred Howe and William H. B. Brady were created a body corporate under the name of the "Wilmington Colored Institute" for the purpose of "establishing schools for the education of colored children residing in the City of Wilmington without discrimination as to denomination."³⁷ This was the first instance in which colored men were created a body corporate under the law of North Carolina. It has not been possible to learn the extent of the work actually done by this body, but it did establish one or two schools. In July, 1868, Alfred Howe and six others were created "A body politic and corporate" under the name and style of the "Society of St. Barnabas." This corporation was also composed of negroes and had for its object the education of the negro youth.³⁸ There is no record to be obtained of any material progress having been made by this body. In the same month, the Freedmen's Aid Association of Boston built a schoolhouse for negroes, and it is probable that one of these two corporations used the building.³⁹ The establishment of the Cape Fear Academy and Colston's High School for

³⁶ *Morning Star*, October 24, 1867.

³⁷ *Wilmington Journal*, January 1, 1868; *Morning Star*, January 1, 1868. The writer has not been able to find the text of the act here mentioned. The only authority is the newspapers.

³⁸ *Ibid.*, July 17, 1868.

³⁹ *Morning Star*, July 9, 1868.

white children in July, 1868, were the last important steps in promoting the growth of schools.⁴⁰

Reference thus far has been made to the schools of the City of Wilmington. An effort to find out in detail about those in the county at large prior to ratification of the constitution of 1868 was unsuccessful, but an editorial in the *Morning Star*, July 16, 1868, indicates that there were in the county twenty-seven schools. An act passed in 1867 created D. S. Durham, H. E. Carr, S. S. Satchwell, T. P. Armstrong, J. S. Hines, Jas. Durham and Calvin Hines a body politic, styled "Trustees of Rocky Point Academy." It was declared unlawful to sell spirituous liquors within three miles of the school house.⁴¹

The Convention of 1868 placed education under the control of a central Board. S. S. Ashley, a carpetbagger from Massachusetts who had lived in Wilmington, was chosen State Superintendent of Public Instruction. The Board reported to the Legislature, and, in April, 1869, an act was passed authorizing the Board to organize a system of public schools. In November, 1869, the superintendency of county schools was put in charge of the county commissioners. The county commissioners of New Hanover County took steps to establish schools immediately. Precincts were erected and committees appointed in each to report.⁴² This was the first definite action on record in reference to public schools in the county since the office of State Superintendent was made vacant in 1865. However, a careful search among the newspaper files during the period under consideration failed to give information as to further action.

Other educational factors were the Wilmington Lyceum and the Library Association. The former was established immediately after the war; the latter had existed before the war but was reorganized and materially strengthened. Public debates, lectures, and dramatic plays were held. Their officers were prominent men who gave their time and effort without stint, and their activities did much to further the cause of education in this section. Another educational influence was the

⁴⁰ *Ibid.*, July 12, 1868.

⁴¹ Private Laws of North Carolina, 1866-67, ch. 61.

⁴² *Morning Star*, October 27, 1868.

Freedmen's Bureau which established schools in the South for negroes; I have not been able to find information regarding schools established by it in New Hanover County.

THE COURT SYSTEM

The administration of justice during reconstruction was quite a problem. The court system was very much complicated, and the jurisdictions exercised by various courts often indefinite and conflicting. Also, their work was often hampered by military interference. Military authority did not supersede civil jurisdiction suddenly, but rather by a gradual process.

New Hanover, together with Brunswick and Sampson Counties, constituted a part of the Fourth Judicial District of North Carolina in the Federal District Court System. The District Court's jurisdiction did not cover matters peculiarly of County interests, and hence is not of much importance in this connection. Its jurisdiction extended over crimes committed on the high seas, embezzlement or secretion of property belonging to the United States, forgery to deceive a government official, violations of internal revenue laws, smuggling, wrecking, violations of commerce, and similar crimes and misdemeanors. The court went into operation upon the revival of federal authority just after the war. Its officers during the period of our study were Hon. G. W. Brooks, Judge; Darius H. Starbuck, District Attorney; and J. H. Neff, Marshal, until 1868 when he became the mayor of Wilmington.⁴³ In November of 1867, Judge Brooks declared freedom from the military authorities, asserted the court's competence to pass upon its own jurors, and instructed the marshal to draw up the jury lists without distinction as to race or color.⁴⁴ It is interesting to note, however, that for a period of more than two years not a single negro juror sat in this court.

The administrative business of the County prior to the adoption of the Constitution of 1868 was carried on through the County Court, the same Court which performed that function prior to the war. The court dealt with such matters as

⁴³ *Wilmington Journal*, May 5, 1868.

⁴⁴ *Ibid.*, November 7, 1867.

are today supervised by the board of County Commissioners.⁴⁵ Thus it looked after the building of roads, and the erection and repair of bridges. In general it had control over county finances, both revenues and expenditures. For instance on March 11, 1868, the Court appropriated \$12,000 to establish a workhouse, and it also had the power of granting liquor licenses. It also exercised judicial functions in cases of petty crimes,—offenses against the public order and others of like nature being within its jurisdiction. The court also appointed county inspectors for naval stores, cotton, and other products. The chairman of this court administered the oath of office to the County officers, magistrates, clerk of the County Court, and Superior Court Clerks. It had charge of criminal matters, and in the latter part of 1866, when disorder was rife, a committee was appointed to confer with the Freedmen's Bureau as to better discipline of the negroes. In 1866, a sentence of whipping was imposed on five negroes who had committed petty larceny. When this sentence was being carried out by Sheriff Bunting, two Federal soldiers entered the court room to arrest him, but the chairman would not recognize their verbal authority. The contention that the sentence was a continuation of the slave code was claimed by the officers as a basis of their action. The matter was finally adjusted by Colonel Beadle, the officer then in charge of the Freedmen Bureau.⁴⁶ The County Court at first had jurisdiction over the county police and over the appointment of constables, but these powers were later withdrawn and placed in the hands of the military.

The levy of taxes was also a matter under its care, and, to illustrate the principles of taxation, a few examples from the tax lists, operative in April, 1866, are here given. Tax on real estate was ten cents on the hundred dollar valuation; the tax on the poll was one dollar. In some instances the tax was laid in reference to earning power;—thus ferries were taxed one per cent on their gross receipts and express companies were taxed two and one-half per cent on their gross receipts. Licenses were issued to shows, theaters, liquor dealers, and others. Amount of goods purchased sometimes served as a basis of assessment. Merchants were required to pay a tax of one-

⁴⁵ *Ibid.*, March 11, 1868.

⁴⁶ *Wilmington Journal*, March, 1866.

quarter per cent on purchases, and dealers in vehicles had to pay two per cent on their sales. These instances illustrate the tax system which prevailed before, and for sometime after, the war. State as well as county taxes were included. In general county taxes were levied upon the same plan as state taxes. The amount of taxes for the year 1867-8 aggregated \$50,075.42, of which \$15,927.96 was due the state. The year following county taxes were 33 1-3 per cent higher, it being declared that taxes for the ensuing year "Shall be the same as those for state purposes by the General Revenue Act now in force with one hundred cents per centum on the same additional thereto." But even with the increased revenue, making a total of \$39,236.54, county finances were so administered that the county credit was seriously impaired, and bonds of New Hanover county sold at eighty-seven cents on the dollar. In July, 1869, the County Commissioners resolved that, "whereas the financial condition of the county did not justify the prompt payment of claims, no claims be paid except the coupons which might become due on the county bonds."⁴⁷ The County Courts of North Carolina were abolished by General Orders, Number 120, and their unfinished business was ordered to be settled by the Superior Courts in April 21, 1868. In 1868 an act was passed by the General Assembly to facilitate the transfer of business from the county to the Superior Courts.⁴⁸

The Provost Court was important. This Court, unlike the others, emanated from military authority. It was established in March, 1867. In Canby's Special Orders, Number 29, provision was made for provost courts for New Hanover, Brunswick, Bladen, and Columbus Counties.⁴⁹ In General Orders Number 18, issued prior to the erection of the court in New Hanover, its government and jurisdiction were defined.⁵⁰ Its officers were a Judge and Provost Marshal General. In New-Hanover, J. C. Mann, an officer of the Freedmen's Bureau, was appointed Judge; Lieut. G. A. Williams held the position of Marshal General for two months, and then Col. H. B. Judd succeeded him. In general the jurisdiction of Provost Courts covered civil cases in which the amount involved did not ex-

⁴⁷ Minutes of Meetings of County Commissioners, July 7, 1869.

⁴⁸ Canby's General Order No. 120, Public Laws of North Carolina, 1868, ch. 266.

⁴⁹ *Wilmington Journal*, March 27, 1867.

⁵⁰ *Ibid.*, March 18, 1868.

cede \$300.00; debtor cases, in which ten days' notice must be given if the amount exceeded \$25.00 and fifteen days' notice if the amount exceeded \$10.00, but these notices could be waived with the consent of both parties; other offences not primarily military in nature, all of which excepting manslaughter, assault with intention to kill, dueling, perjury, arson and rape, being transferred to the Post Commander; elections and cases arising therefrom, such as prevention of voting by intimidation, etc.; offenses at common law under the state statutes. In February of 1868, its jurisdiction was limited to three matters. It had jurisdiction in matters of difference between employee and the employer relative to rights under military orders; when the proper state authorities failed or were unable to protect persons and property the court might have jurisdiction, as when the Criminal Court failed to find a true bill against the defendants in the case of Ormsby vs. Murphy, the Provost Court took the case in hand; when impartial justice could not be had, appeal was in order to the court.⁵¹ In the case of *in re* Reaves (May 10, 1868) Judge Mann assumed original jurisdiction in criminal matters.⁵² The Court was subject to military authorities, and its decisions were sometimes forwarded to General Canby as in the Reaves case. In case of Bowden vs. King, Canby set aside the judgment of the Court. The jurisdiction of the Provost Court ceased when the military government was withdrawn.

Courts of oyer and terminer were also erected to facilitate justice. During and immediately after the war disorder prevailed. Crimes were frequently committed, the procedure of the courts was slow, and the docket congested. Hence, special courts of oyer and terminer were erected to relieve the congestion. In 1862 the legislature authorized the Governor to issue commissions to superior court judges to hold courts of oyer and terminer. Another law of 1863 provided for the erection of courts upon the petition of the county court, the application of the Attorney General, or of the solicitor of any judicial district. In pursuance of these facts a special court was established for New Hanover County in the early part of 1865. Its existence ended with the termination of the Provisional Government in January, 1866. Later, in July, 1866, a

⁵¹ *Ibid.*, February 18, 1868.

⁵² *Ibid.*, May 10, 1868.

special court for New Hanover was erected, which continued in operation until the rise of the new judicial system provided for by the constitution of 1868. By the original acts the jurisdiction of the special court was confined to petty crimes, misdemeanors, and white people only were subject to it. However under an amendment made during the war, both races might be tried in the special court. The jurisdiction under the act of 1866 was practically the same as under the war legislation.

A criminal court with a wider jurisdiction than that of the Provost Court and Oyer and Terminer Courts was needed. In the early part of 1867, agitation for a criminal court began and on February 12, of that year an Act passed the Legislature to establish a Criminal Court for New Hanover County.⁵³ The judge was elected by the legislature and was commissioned by the Governor. Hon. O. P. Meares was first to fill the position. He served until August, 1868, and then, being barred from office by the Howard Amendment, he was succeeded by Colonel Edward Cantwell. Colonel Cantwell was prominent as the author of *Cantwell's Justice*, and also as a Confederate soldier. However, he had received a presidential pardon and so could undertake the duties of the office. From this time on he was identified with the Republican party. Justice as administered in his court was impartial. The first instance of a negro serving as a jury-man occurred in this court in April, 1868. In August, 1868, the greater portion of the work done by the criminal court was taken over by the Special Court of Wilmington, created by act of the legislature. The jurisdiction over most of the offences committed in the city limits was transferred to the special court. The new court also exercised jurisdiction in those cases arising in the city which formerly would have been tried by the court of pleas and quarter sessions. Its jurisdiction was thus confined to petty crimes and misdemeanors committed within the corporate limits of the city.⁵⁴ The judge was required to be a resident of the City and to have a state law license. He was appointed by the Governor for a term of eight years with an annual salary of \$2,000. The Court met four times a year. Its procedure was like that of the Superior Court to which appeals could be

⁵³ Laws, 1867, ch. 28; *Morning Star*, February 14, 1867.

⁵⁴ Laws of North Carolina, 1868 (Act of August 8th).

made. There arose four chief objections to the Special Court: (1) the expense—two grand juries, and two petit juries were by its establishment made necessary; (2) jury service was inconvenient and many citizens avoided it when possible; (3) there was difficulty in determining whether crimes were committed in the City, and hence if it were a matter for the Court to dispose of; (4) the bill taxed the City people to support the Court.⁵⁵ However the Court was established, and Cantwell was again made Judge.

It is unnecessary to take up in detail the Superior Courts. Their jurisdiction was much the same as today except in so far as certain cases were attended to by the various other courts. Judge Buxton at first presided but later was succeeded by D. L. Russel, a native radical, who afterwards became one of the three Republican Governors North Carolina has had. There was also a Master in Equity. His duties, as denoted by his title, were confined to equity cases. The office was abolished along with the County Court.⁵⁶ The Court of Pleas and Quarter Sessions did not play an important part. Its jurisdiction at first included matters of a probate nature, such as wills, inheritances, administrations of estates, assessing of damage on property, and hearing of motions. Until the establishment of the Criminal Court it exercised criminal jurisdiction. Finally there were Military Courts and a Special Magistrate's Court. The former dealt with matters under the control of the military authorities. The latter confined itself almost exclusively to ejectment cases.

Reference has already been made to the fact that military interference often obstructed the work of the Judiciary. Below are a few instances illustrating this. On October 15, 1867, jury lists were ordered to be prepared under military directions.⁵⁷ By a special order of General Canby (order No. 176), registration books were to be submitted by the commanding officer to the sheriff, who was to enter the names on the jury list and then return the same to the officer.⁵⁸ In August, 1867, Judge Meares of the Criminal Court was told that all juries not drawn in accord with the orders would be suspended.

⁵⁵ *Morning Star and Wilmington Journal*, August 27, 1868.

⁵⁶ *Wilmington Journal*, July 21, 1868.

⁵⁷ *Morning Star*, October 10, 1867.

⁵⁸ *Wilmington Journal*, October 12, 1867.

Jury lists in the Court of Pleas and Quarter Sessions were ordered revised so as to include negroes. Verdicts rendered were often set aside. In the Criminal Court, S. J. Boney was convicted of stealing a horse and sentenced to death, an act of the Legislature of 1867 making this offense punishable by death.⁵⁹ General Sickles set aside the verdict.⁶⁰ On another occasion a negro was convicted of manslaughter and sentenced to be branded, but Sickles again interposed. The Chairman of the County Court was notified that "Whipping or maiming the person" as a punishment was prohibited by the Department. Interference in these cases was probably justified because of the severity of the punishment, but, in the April Term, 1867, of the Criminal Court, Sickles set aside all verdicts rendered, which was certainly extreme and uncalled for.⁶¹

CITY AFFAIRS

A paper on reconstruction in New Hanover County would not be complete without a discussion of government affairs in Wilmington. At one time General Canby removed the municipal officers and placed in their stead a commission composed of radicals, and Wilmington for a while had arbitrary rule under a commission form of government. Even after the War, Wilmington was not yet recognized as a city. It was referred to as "The Town of Wilmington."

At the time of the fall of Fort Fisher in 1865, John Dawson, a prominent banker and business man, was Mayor. The Board of Aldermen was composed of H. Von Glahn, J. G. Burr, W. H. Lippitt, W. A. Wright, S. D. Wallace, Eli Murray, Alex Adrian, and W. S. Anderson.⁶² Upon the institution of the Provisional Government, so far as is known, these same officers exercised municipal functions in so far as these were not taken over by the military authorities. These officers served subordinate to the military and were really a "Provisional Commission." The Provisional Government expired January 1, 1866, and, in order that the town should not be without officers, a bill was passed in the Legis-

⁵⁹ Public Laws of North Carolina, 1866, ch. 62.

⁶⁰ *Wilmington Journal*, August 5, 1867.

⁶¹ *Ibid.*, May 1, 1867.

⁶² *Ibid.*, April 2, 1865.

lature to continue the Provisional Committee until city officers were elected.⁶³

About this time a movement to secure a city charter for Wilmington began.⁶⁴ Civic pride was behind the movement. The "City of Newbern," the "City of Raleigh," and others were smaller than the "Town of Wilmington," and yet they seemed to have a prestige by virtue of their municipal titles. In February, 1866, a bill was introduced in the Legislature to charter Wilmington as a City. Its population at this time was about 18,000. Mr. E. D. Hall, Senator from New Hanover, was active and secured its passage in both Houses of the Legislature on February 1, 1865.⁶⁵ At first, opposition arose as it was thought the charter would increase the taxes, but it was pointed out that no new office would be created and hence this argument was untenable. The charter provided for the creation of four wards, two Aldermen to be chosen from each. The Mayor was to receive a salary of \$2,000. The Mayor and Board were to be elected, and these were to appoint the other officers. The Chief Marshal and Assistant were to be appointed. The offices of Town Collector and Chief of the Fire and Police Departments were merged into that of Marshal. The Sheriff of the County was to hold an election ten days after he received a certified copy of the bill. A property qualification was placed on the Mayor and Aldermen. The Charter was submitted to the people March 9, 1866, and passed with a vote of 358 to 240. At the time of the submission of the Charter to the people, municipal officers were voted on. Dawson headed one list and A. H. Van Bokelen the other. The latter ticket triumphed by a vote of 352 to 240. Aldermen elected were S. D. Wallace, R. J. Jones, J. G. Burr, J. H. Ryan, O. G. Parsley, W. H. Lippitt, W. A. Wright, and A. E. Hall. General Robert Ransom was chosen City Marshal and T. W. Anderson City Clerk.⁶⁶ Van Bokelen continued in authority until December 18, 1866, when Dawson was again elected Mayor with practically the same Board. The new regime held power until July, 1868. The condition of the

⁶³ *Ibid.*, January 24, 1866; also Laws of North Carolina, 1866, ch. 21.

⁶⁴ *Ibid.*, January 26, 1866.

⁶⁵ Private Laws, 1866, ch. 2.

⁶⁶ *Wilmington Journal*, March 10, 1866.

City was very discouraging. Crime and disorder prevailed, and maintenance of order was the chief problem. The task was severe. In August, 1867, a highway robbery organization was discovered, in which several policemen were implicated. Those in authority, however, were exonerated. This incident illustrates the difficulty of enforcing order.

The City was heavily in debt and the treasury very much depleted. No definite figures are obtainable.⁶⁷ The "Town of Wilmington bonds" had been taken up by a new issue upon the incorporation of the City. These bonds were to be paid in stated installments. July 1, 1868, the coupons of the new issue fell due and were taken up to the extent of \$6,000. The valuation of City property in January, 1867, was \$3,291,635. In May, 1868, the Board of Aldermen levied taxes at a rate which was one-quarter per cent higher than that of 1860. As to the final disposition of the City debt no information could be obtained.⁶⁸

Another City election occurred in July, 1868. Prior to this, on December 19, 1867, General Canby had been petitioned to remove the city officers.⁶⁹ The only objection to them was that they refused to place negroes in office, which demand was made in the latter part of 1867. By order of Canby, the municipal offices were closed May 1, 1867, and a new set of officers were appointed as follows: Mayor, J. H. Neff, a radical scalawag, William Teller, negro, James Wilson, scalawag, E. R. Brink, carpetbagger, G. H. Jackson, negro, L. G. Estes, carpetbagger, Silas Martin, scalawag, G. R. French, scalawag, G. W. Price, negro.⁷⁰ For some reason, the papers did not say much about the occurrence. This commission ruled, or rather misruled, Wilmington for only about one and one-half months. An election took place July 15, 1868. In this election there were two distinct elements. A thorough organization of the radicals, composed of negroes, scalawags, and carpet baggers, had been developing for some time. The radical ticket had been drawn up six months before the election. This was

⁶⁷ Letter from Silas U. Martin, mayor in 1871, to Hon. Joe E. Stevenson, states the debt in 1868 was \$525,000.—*Wilmington Journal*, May 10, 1871.

⁶⁸ The writer could not gain access to authoritative sources on the city's financial condition.

⁶⁹ *Wilmington Journal*, December 20, 1867.

⁷⁰ *Ibid.*, May 31, 1868.

called by the opposing party the "Guy Fawkes Junto" ticket, and proposed the following for office, Mayor, J. H. Neff; Aldermen, J. C. Klein, E. M. Shoemaker, J. H. Chadbourne, and G. Z. French.⁷¹ There were no negroes among them but all were carpetbaggers and scalawags. Opposing this line-up was the Citizens ticket headed by W. W. Harris. The latter triumphed in spite of the radical's boasted strength and in spite of a black registration of 2,052 as against 1,142 whites. The reason for the defeat of the radical ticket was that the negroes were learning that their interests were with those of the Southern people, and they refused to be bossed by carpetbaggers and scalawags, or rather that is the reason assigned by the newspaper of the period. Neff received only three white and twenty-three colored votes. But the officers elected were not permitted to serve, for Governor Holden came to the rescue of his radical friends, and on July 28, 1868, presumably under the power of "An Act in Relation to Municipal Affairs," he appointed as Mayor, Neff, and as Commissioners, Henry Kuhl, scalawag, William Kellog, negro, James Wilson, scalawag, E. R. Brink, carpetbagger, G. Z. French, scalawag, G. W. Price, negro, D. Rumley, carpetbagger, and Lawson B. Rice, carpetbagger.⁷² Their appointment was illegal for the Act read "In the absence of any contrary provision," etc. However, the city officers surrendered because they thought resistance would be prejudicial to the City. So on July 30, the City affairs were turned over to Neff and his associates. The new Board at once reorganized a police force, replacing whites with negroes, and proceeded to fill other offices with scalawags, carpetbaggers and negroes. Disorder was the ordinary condition. Neff, of course, was incompetent, and this condition prevailed until the re-establishment of the state government.

SOCIAL AND ECONOMIC

The outlook for the development of New Hanover County in 1865 was very discouraging. In general, four factors were responsible: the havoc played by the epidemic of yellow fever during the war, the number of the heads of families who were killed in the war, ravages of war, and industrial paralysis.

⁷¹ *Ibid.*, July 15, 1868.

⁷² *Ibid.*, July 28, 1868.

The county had been pretty well stripped by the soldiers, even the church bells in the city of Wilmington were taken by the Yankees.⁷³ War always leaves devastation in its wake. Roving negroes committed depredations, and, first and last, destroyed much property. There were practically no industries; farms were abandoned, and great stretches of land remained uncultivated. Of a total area of farm lands of 448,549 acres, 395,624 were uncultivated in 1865, and the lumber, cotton, and naval stores business was for a time practically shattered. Even those industries and farms in operation were seriously hampered by a lack of labor. Over 10,000 slaves were set free by the outcome of the War. The negroes' idea of freedom was freedom from work. They congregated in the City of Wilmington and there became a source of much trouble. The population of New Hanover County in 1870 was 27,978, and the City of Wilmington contained nearly half of this.

There was much disturbance in Wilmington, but the first riot in the County took place at Topsail Sound on November 27, 1865.⁷⁴ Three negroes and two whites were killed and others wounded. The trouble started when a negro mob undertook to rescue from the officers one of their number who had committed theft. This incident showed the necessity for organization among the whites, and in December following a militia company for local defense was organized under the leadership of Captain Robert Radcliff, an ex-Confederate soldier. The negro majority in New Hanover County at this time was about 10,000, and the task of controlling it proved baffling. Reports of crime in all parts of the County were frequent. Wilmington was the center of disturbance. From 1865-68 there were no less than ten riots of serious proportions. Crime was of daily occurrence. For instance, in the month of May, 1868, there were committed seventy offences, fifty-six of which were larceny and the remainder of a more aggravated nature, ranging from arson to criminal assault. Of the offenders seventeen were white and sixty-three negroes.⁷⁵ The record of this month is by no means extreme but is merely typical of conditions. As early as 1866 a work house

⁷³ *Ibid.*, May 15, 1865.

⁷⁴ *Ibid.*, November 29, 1865.

⁷⁵ *Ibid.*, June 1, 1868.

was provided for the purpose of handling criminals. In 1867 an organization known as Regulators who made deprecations on property and stole cattle and horses was unearthed. The charge was made that the radical County officers were implicated but this was not sustained.

This condition of strife necessarily caused much suffering in addition to that due to the ravages of war, the devastation of disease, and industrial paralysis. In the years 1866, 1867, 1868, the crop production was only one-fourth of the normal yield. Provisions were scarce and prices high. Wood was from \$8.00 to \$10.00 per cord. Pork sold for twelve cents per pound on foot. Rent in Wilmington for a modest dwelling was \$500.00 per annum. These are merely illustrations. Household groceries were sufficiently high as to surpass the level of the present high price era. Sanitary conditions were very bad. There was a smallpox epidemic among the negroes in February, 1866, and in that month 452 cases in the City limits were reported.⁷⁶ The Medical Society made an heroic effort and rendered good service. In 1868 Canby ordered that negroes discharged for voting contrary to the wishes of their employers were to be supported at the public expense. This put a premium on idleness and swelled the number of the unemployed. The order also provided for additional poor taxes, thus showing one method of relieving distress. From 1865 to 1868 over \$9,000 of the tax payers' money was spent for this purpose.⁷⁷ The Freedmen's Bureau rendered practically no service, and constant interference on the part of its officers served only to obstruct the work of other authorities. In 1868, Thaddeus Stevens presented a resolution in Congress, with a memorial from the City attached, instructing the Appropriation Committee to bring in a bill directing the Freedmen's Bureau to advance \$75,000 to the City of Wilmington on the bonds of that City for the purpose of relieving distress. The loan was authorized, but I have not found if it was ever negotiated. Another agency in this work was the Ladies Benevolent Society. Just the amount of its activity cannot be determined. The City authorities co-operated with this organization. In July, 1868, the Board of Aldermen ordered

⁷⁶ *Ibid.*, March 1, 1866.

⁷⁷ *Ibid.*, January 2, 1868.

that an amount not over \$100.00 per month be paid to the president of the Society, Mrs. Kennedy, to be used for charitable purposes.⁷⁸ A Court of Wardens for the Poor was established, and, in 1867 it was ordered that fines and license fees be applied for the relief of the poor. It is impossible to approximate the amount of work accomplished by these various methods.

In connection with the economic phase of reconstruction in New Hanover, a word or two must be said relative to the Bankrupt Law which went into effect March 2, 1867, and the extent to which its provisions were taken advantage of. The law provided that any one owning at least three hundred acres of land could get the benefit of the law. A deposit of fifty dollars must be made with the Register of Bankruptcy to cover the cost of application, and additional fees raised the expense to nearly \$100.00. A separate statement of both assets and liabilities had to be made and sworn to preliminary to the applicant's being declared bankrupt. His creditors then met and appointed an assignee to dispose of the estate. The law provided the bankrupt could be allowed an exemption of \$400.00 in property, clothing, and other effects allowed by the state law at first.⁷⁹ Mr. A. W. Rieger was Register in Bankruptcy for New Hanover and Brunswick Counties⁸⁰ Mr. W. A. Guthrie was appointed to the position for the judicial district, of which New Hanover was a part, in 1868. He came to Wilmington in 1868 and in January of that year as many as fifty persons were declared bankrupt.⁸¹ By June of the same year fifteen additional applications were granted making a total of sixty-five for the county. There was some justification for people going into bankruptcy. They had contracted debts on a basis which counted slaves as property. Now this valuable asset was destroyed. Furthermore, real estate had very considerably depreciated, and this prevented debtors from being able to meet their obligations.

Another problem of note was that of labor. Industrial paralysis was in part due to an overturning of old labor conditions. Necessarily improved conditions could only be obtained through

⁷⁸ *Morning Star*, July 12, 1868; *Evening Dispatch*, July 13, 1868.

⁷⁹ *Wilmington Journal*, January 26, 1866.

⁸⁰ Conversation with Major W. A. Guthrie.

⁸¹ *Wilmington Journal*, January 23, 1868.

a readjustment of labor. Regarding house-servants much need not be said. In addition to the work of the Freedmen's Bureau, carried on on a small scale in New Hanover County, a sort of house-wives' league was organized to solve the problem. Practically all accomplished was to require certificates as to the fitness and character of the applicant attested to by previous employers.

Negroes left the farms; quite a number emigrated from New Hanover to the cotton states. In order to obtain a labor supply efforts were made to induce immigration. In January, 1867, a County Agricultural Society was formed whose purpose was to solve the labor question.⁸² Dugald McMillan was chairman, and he, together with S. S. Satchwell and B. R. Mason composed the Executive Committee. Subsidiary district societies were organized also. In July, 1867, the minutes of the meeting of the Spring Garden Agricultural Club showed a definite step toward encouraging immigration.⁸³ In August, 1867, the minutes of the Topsail Agricultural Society showed that there were thirty-two coolie laborers in New Hanover County.⁸⁴ The Southern Immigration Society, a national organization, had an agency in Wilmington during 1867, and 1868. For 1868, Mr. Bontfort, an agent of the Company, fixed the wages of immigrants at \$8.00 to \$10.00 per month for the first six months, and \$10.00 to \$12.00 thereafter. He also suggested that an Immigrant Aid Society be established. In January, 1868, a County Immigration Society was organized, and a committee was appointed to report on labor conditions with recommendations as to steps to be taken.⁸⁵ In June, Mr. Van Sickle of New Jersey came to New Hanover in the interest of immigration. At the meeting of the Society in the same month, a plan embracing four methods of inducing immigration was suggested: (1) the County should obtain about ten thousand acres of reasonably compact land; (2) this should be let out at low and attractive prices, making use of credit methods; (3) means of communication with prospective settlers must be devised; (4) quick means of transportation

⁸² *Ibid.*, January 1, 1867.

⁸³ *Ibid.*, July 27, 1867.

⁸⁴ *Ibid.*, August 1, 1867.

⁸⁵ *Ibid.*, January 21, 1868.

should be provided.⁸⁶ The work actually accomplished is uncertain, but the scheme was partly successful. Private concerns also attempted to encourage immigration. As early as 1865, F. W. Foster and Company opened an office in Wilmington for the purpose of inducing immigration. In January, 1866, this Company caused to be brought to New Hanover thirty-seven German laborers.⁸⁷

In order to get labor, farmers adopted the plan of having negro criminals bound out to them, and they would pay the cost of the cases. Nothing much was said of this practice for it would have been regarded in the North as a species of slavery.⁸⁸ The result of importation of labor, the utilization of negroes through the process above referred to, and the work of the New Hanover Agriculture Society in teaching methods of farming assisted greatly in bettering conditions. In 1868 the General Assembly passed an act incorporating the Cape Fear Agricultural Society. Its work was not confined to the county, but the Society had for its object the betterment of Agriculture throughout the Cape Fear section.⁸⁹

The farms of New Hanover County averaged about eighty acres,⁹⁰ less than in 1860. The transformation from the plantation system to the small farms, which was one of the results of the war, was taking place, and this accounts for the increasing small size of the farms as compared with those before the war. The principal products were cotton, crude turpentine, spirits, tar, lumber, hogs and a few cattle. Below are inspectors reports for 1866-1867 and 1867-1868. In 1866-1867: cotton 12,454 bales; crude turpentine, 91,588 barrels; spirits, 44,990 barrels; and tar, 25,644 barrels. In 1867-1868: cotton 12,094 bales; turpentine, 125,654 barrels; spirits, 75,473 barrels; tar, 25,988 barrels.⁹¹ It will be noted that there was an increase in production of all staples except cotton, and in spite of better labor facilities the production of that article fell off about 500 bales. This was due to the cotton tax of two and one-half cents levied

⁸⁶ *Ibid.*, January 21, 1868.

⁸⁷ *Evening Dispatch*, January 16, 1866.

⁸⁸ Conversation with Major Guthrie.

⁸⁹ Laws, 1868-9, ch. 199.

⁹⁰ That is, if the number of acres in improved farm land be taken as the basis.

⁹¹ *Wilmington Journal*, March 10, 1868.

by the National Government. This amounted to a tax from twenty to thirty per cent and had to be paid upon the marketing of the crop. The effect of this tax was to cause the farmer to abandon to a certain extent cotton culture. Its baneful effect was soon seen, and after continued efforts on the part of the business men all over the country it was repealed in 1868. As early as December, 1866, the legislature of North Carolina passed a resolution authorizing the Attorney General to test the legality of the tax.

Trade conditions of Wilmington were not in the best condition. In the latter part of 1866, the Wilmington Chamber of Commerce was incorporated for the purpose of bettering conditions.⁹² Commerce was carried on by a line of steamers between New York, Philadelphia, and Boston, and Wilmington. But much of the Carolina business as in the days of old went to Norfolk and Charleston. Railroad fares out of and into Wilmington were excessive. An effort was made to have them reduced as it was claimed that better rates would enable business men to reach out for trade. The railroads finally acceded to the request, and an appreciable change for the better gradually became evident. Freight rates were also reduced, and shipments of cotton began to be made from South Carolina and Georgia.⁹³ Before the War there had been a little direct trade with Europe. An effort was made to revive and enlarge this. As early as February, 1866, business houses began receiving shipments from Europe. But this was hampered by strict quarantine regulations, and did not amount to much until a much later date. However, in this period, the foundation was laid for the present valuable trade, and here many of the present business houses of Wilmington had their beginning.

The scarcity of money was one of the prime causes for unwholesome trade relations. The condition of Wilmington banks was not conducive to confidence and bank banking facilities were bad. They finally closed their affairs in accordance with an act, by which they were allowed to file bills in Courts of Equity for the benefit of depositors.⁹⁴ Individual

⁹² Private Laws, 1866-67, ch. 71.

⁹³ *Wilmington Journal*, June 22, 1866.

⁹⁴ Private Laws of North Carolina, 1866, ch. 1.

brokers sold exchange on New York, Boston, and other cities. Brokers also bought notes on those cities. But these meager banking facilities were insufficient. There were alternate periods of depression, and merchants had to wait for shipments from other cities.⁹⁵ Need of a national bank was recognized and an effort was made to have it established but it did not materialize during the period of our study.

POLITICAL AFFAIRS

In discussing the politics of New Hanover County during the time of reconstruction, there appears a greater uniformity with general state affairs than is the case in the social and economic phases. County politics was hardly more or less than a reflection of state issues.

The first act of the national administration upon the fall of the Confederacy was to institute some sort of government for the recalcitrant states. The scheme known as Presidential Reconstruction was begun on May 29, 1865 when President Johnson issued his amnesty proclamations pardoning certain classes who had espoused the Confederate cause and appointing W. W. Holden as Provisional Governor of North Carolina. Holden was authorized to call a convention which should provide a republican form of government for the state and re-establish relations with the Federal Government. A proclamation by Governor Holden on June 12, 1865, stated his policy and called upon the loyal people to aid him in establishing a government. He at once went to work appointing justices of the peace who administered the amnesty oath and provided for elections.

The political subdivisions of New Hanover were the precincts. Of these there were fourteen, of which the Wilmington precinct was the most important since it contained the most important town of the County. Wilmington was also the County Seat. The lack of sources prevents a thorough consideration of the politics of the several precincts, but in general the main tendencies can be traced.

All told there were fifty-five magistrates appointed for New Hanover by Provisional Governor Holden. A deal of

⁹⁵ *Wilmington Journal*, January 1, 1866.

trouble arose here, as elsewhere, in reference to the removal of disabilities. However, the preliminaries for calling a convention having been complied with, Governor Holden on August 8, 1865, issued a proclamation ordering the election of delegates for a convention to meet October 2, 1865. No issues of great importance were brought to the front in the campaign. The election in New Hanover was quiet and orderly. In fact, the period from the cessation of hostilities till the latter part of 1867 was very quiet politically and not until that time did party lines become so marked as to cause much strife.

The convention met in Raleigh, October 2, 1865. The New Hanover delegates to the convention were O. G. Parsley, S. S. Satchwell, and William Freeman.⁹⁶ Among the measures taken up was the abrogation of the ordinance of secession, an ordinance repudiating slavery and the institution of state and local government. It was provided that these ordinances be submitted to the electors, and state and local officers were to be elected at the same time. The New Hanover delegates were in favor of the ordinances, for the result of the war practically assured their adoption.

The election provided for took place on November 9, 1865. The candidates for Governor were W. W. Holden and Jonathan Worth. Issues in this election, both as regards state and county affairs, were obscured by the personality of the candidates. Worth was elected Governor by a majority of 5,937 out of a total of 60,000. In New Hanover County he received 693 votes, while Holden polled only 76.⁹⁷ The vote on the ordinances was much smaller. In New Hanover the ordinance prohibiting slavery was carried by a vote of 118 to 96; that repealing the ordinance of secession carried by a vote of 142 to 66.⁹⁸ Despite Worth's majority, President Johnson requested Holden to continue to act as Governor, for he regarded the election as being a victory for the anti-union element of the state. But in December, 1865, he was notified to turn over the affairs of the state to Governor Worth when he should have become qualified.

Lack of continuity in the newspaper files prevents an ac-

⁹⁶ *Wilmington Journal*, November 29, 1865.

⁹⁷ *Daily Dispatch*, November 10, 1865.

⁹⁸ *Ibid.*, November 10, 1865.

curate account of county affairs prior to 1867. However, some information, detached though it may be, can be had. In the election of November 9, 1865 E. D. Hall was elected Senator from New Hanover, and R. H. Cowan and J. R. Hawes were chosen Representatives. County officers elected were Samuel Bunting, Sheriff; R. B. Wood, Clerk of the County Court; and H. A. Bagg, Clerk of the Superior Court.⁹⁹ An effort to find out the official registration, vote, and majority in this election proved unsuccessful. According to the newspapers these latter officers were regarded as *de facto* officers, and hence their acts were without legality, but the Legislature which met November 27, 1865, validated their official acts and formally approved the revival of county government. The officers mentioned remained in office till August 2, 1868.

The convention met again in May, confronted with the task of forming a state constitution, which would be acceptable to the national administration. By this time opposition to its taking action had developed, but the work was undertaken, and finally a constitution drafted. Without going into a discussion of its provisions, it will suffice to say that it was submitted to the people August 2, 1866, and was rejected by a majority of 1,982 out of a total of 41,122. In New Hanover County the constitution was rejected by a vote of 585 to 70.¹⁰⁰

The next political movement, the effect of which is noticeable on county political affairs, was the meeting of the Loyal Union Convention at Raleigh on September 20, 1866. This convention favored the Fourteenth Amendment, criticized Governor Worth, and after declaring that only loyal union men should hold office, nominated Alfred Dockery to oppose Worth. Here a radical organization, which was the beginning of the Republican Party in North Carolina, began, and from this time on glimmerings of a radical organization in New Hanover are noticeable. No appreciable interest was attached to the campaign which followed, and Worth was re-elected by a majority of 23,496. New Hanover County polled 498 votes for Worth and returned only two for Dockery.¹⁰¹

From this time on party lines came to be more and more

⁹⁹ *Ibid.*, November 11, 1865.

¹⁰⁰ Worth, MSS. Letter-book, p. 188.

¹⁰¹ *Daily Dispatch*, November 15, 1866.

sharply drawn. The radical organization in North Carolina, composed of carpet baggers, scalawags, and negroes, became very active. The year 1867 opened up with a campaign in which the issues were based on the alleged alarming condition in the state. Gradually a conservative organization grew up in response to the attacks of radicalism and the state came to be regarded as being divided into radical and conservative sections, the east being regarded as the rebel section, while the west was looked upon as the stronghold of unionism.

As North Carolina had rejected the Fourteenth Amendment in the latter part of 1866, it had not yet been recognized as a state in the Union by Congress. The policy of presidential reconstruction was in this respect a failure—in that it did not establish normal relations with the Federal Government. Thus on March 2, 1867, an act "to provide a more efficient government for the rebel states" was passed and the reconstruction acts placing North Carolina under military authority were applied.¹⁰² General Sickles was assigned to the North Carolina command, and he immediately declared the State government provisional. The general trend of his policy in so far as New Hanover was affected has been previously noted. On August 26, 1867 General E. R. S. Canby succeeded him and in general he continued the policy of his predecessor. Among other things he provided rules of registration and ordered an election to be held November 19 and 20, 1867, at which the calling of a convention to organize the state government was to be voted upon. There was a good deal of discussion as to the removing of disabilities, qualifications of electors, etc., but finally the registration was completed. The returns showed that New Hanover was one of the nineteen counties that had a negro majority. Mention has been made of the beginning of a radical organization in the state. This organization now received a noticeable impetus, and on March 27, a convention under the domination of the Holden men met at Raleigh, with the ostensible purpose of deciding upon measures to restore the state to the Union, but in reality to effect a more perfect organization.¹⁰³ New Hanover County was

¹⁰² Hamilton, *Reconstruction in North Carolina*, p. 197.

¹⁰³ Hamilton, *Reconstruction in North Carolina*.

